[redacted] BID TO BAR EVIDENCE

Court Rules No Privilege in His Communications With Yonkers Tax Lawyer

A defense motion to exclude communications between Representative Adam Clayton Powell Jr. and a lawyer on income-tax matters was denied yesterday in Mr. Powell's trial in Federal Court on charges of tax evasion.

The defense said that communications between lawyer and client were privileged.

Most of the day was taken up with arguments on that motion and on an undisclosed matter that was discussed in the chambers of Judge Frederick van-Pelt Bryan. No witnesses were called.

Before Judge Bryan heard argument, he had dismissed the jury for the day. He told them that one of the jurors, Mrs. Grace Solomon of 225 Central Park West, was ill with a cold and unable to appear. She hoped to be able to resume her place today, he said. If she does not, she will be replaced by Mrs. Janet Hayes of 260 Convent Avenue, alternate No. 1. She is the only Negro among the twelve jury members and four alternates.

Tax Lawyer Consulted

Howard Bennett Williams of Washington, Mr. Powell's chief attorney at his trial, moved to exclude communications between the Congressman and James W. Johnson of Yonkers, a lawyer. Mr. Johnson, who had helped prepare the 1961 tax returns of Mr. Powell and his wife, Hazel Scott, is a former Collector of Internal Revenue for the Third New York District (upper Manhattan).

Judge Bryan ruled that if the communications had been privileged originally, that privilege had been lost, or waived, when Mr. Powell instructed Mr. Johnson in 1956 to turn his files over to an accountant. The accountant succeeded Mr. Johnson as the Harlem Democrat's tax consultant.

The Government obtained the records from Mr. Johnson in 1957 when a grand jury began inquiring into Mr. Powell's tax returns.

Only a brief afternoon session was held. After Judge Bryan had delivered his opinion, he called Mr. Williams and Morton [redacted] Johnson, Chief Assistant United States Attorney, and their colleagues to his chambers. [redacted]

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Powell Lawyer Says U.S.

Tries to Mend

Its 'Failure'

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By NORMA ABRAMS

In a day-long hammering that shook the testimony of the government's key witness, the defense scored numerous points yesterday in Rep. Adam Clayton Powell's income tax evasion trial in Federal Court.

As the day closed, Edward Bennett Williams, Powell's lawyer, was pressing before the jury of nine women and three men this picture:

That, after indicting Powell, government men discovered that the $11,223.97 in foreign tour earnings of his pianist wife, Hazel Scott, which Powell allegedly failed to list among her 1951 earnings was approximately offset by the discovery that her gross income had been overstated by $11,051.65 in errors and duplications.

And that the prosecution then scrambled to build up a substitute case against the pastor-Congressman by switching belatedly to an attack on tax deductions taken by Powell.

Williams pushed these points in cross-examining Morris J. Emanuel, a Treasury man who had worked on the case much of the time since 1956.

Williams brought out that the Powell deductions were not an issue as recently as last April, when the U.S. attorney's office provided the defense with a bill of particulars.

Emanuel admitted that when he testified before a grand jury in 1958 he was aware of $5,935 in income duplications on the Scott return, and that he so informed the grand jurors.

"Don't Honestly Know"

Asked if he had learned by last April the full scope of the income-inflating duplications, the agent first answered, "Probably," and then made it: "Maybe not, I don't honestly know."

"If you had known the full extent then," Williams pressed, "you would have realized, would you not, that they wiped out the unreported income stated in the indictment?"

Emanuel so agreed.

The full figure on the duplications finally appeared in a revised bill of particulars submitted Dec. 17.

One Duplicated Item

Other admissions by Emanuel included:

1. That $1,179.89 of Miss Scott's gross income, as it has been pictured for 1951 to the jury, actually represented money she received Dec. 30, 1950, and which was reported for 1950, and also by duplication for 1951. Emanuel said he had presented these facts two years ago to the grand jury, but admitted he made no effort to correct the figures in information given to the trial jury.

2. That he had a "numerous staff" of assistants during the investigation and that letters were sent to 357 colleges asking if they had paid Powell for filling speaking engagements.

"Normal Channels"

3. That he had seen a letter from the chairman of the House Committee on Labor, Education and Welfare, of which Powell was a member, requesting the defendant to obtain certain information on his 1951 trip abroad. This was the tour on which he accompanied his wife and acted as her business manager, according to the prosecution, which denies he was on official business.

Hazel Scott
There were some duplications

Williams drew sharp attention at one point when he demanded:

"Didn't you tell the grand jury that if this investigation had been conducted in normal channels, Powell would have been invited to come in and explain his return?"

Emanuel answered yes. The reference to "normal channels" was left unexplained.

The agent faces redirect examination by Assistant U.S. Attorney Morton S. Robson when the trial resumes at 10:30 A.M. today.

We Erred on Powell Data, Key Gov't Witness Admits

By NORMA ABRAMS

The government's key witness in the income tax evasion trial of Rep. Adam Clayton Powell admitted in Federal Court yesterday that the information given the grand jury which indicted Powell in 1958 was not "complete and accurate," in view of more extended information developed subsequently.

But the grand jury received "whatever information our investigation had developed up to that time," insisted Morris J. Emanuel, special Treasury Department agent.

"And you now know, on this April Fool's Day of 1960, that it was not accurate information?" defense attorney Edward Bennett Williams pressed.

Laughs, But It Hurts

Emanuel laughed and conceded, "That's correct."

A major contradiction on which the defense dwelt was the government's variation of figures for an overstatement by Powell of earnings of his pianist wife, Hazel Scott, in the 1951 tax return Powell made out for her.

Before the grand jury, Emanuel had reported that, due to errors and duplications, Hazel's income had been overstated by $5,935. But by last December, with discovery of more duplications, the figure was placed at $11,000 or more in a new bill of particulars supplied the defense.

Bring In Wife's Earnings

But this was more than offset, the prosecution contends, by Powell's failure to list $11,[illegible].97 of his wife's earnings on a foreign tour that year. In addition, he is accused of making thousands of dollars of illegal deductions.

In re-direct examination, Assistant U. S. Attorney Morton S. Robson called on Emanuel to explain an answer of the previous day in which he said that Powell would have been invited to come in and explain his return if the investigation had been conducted in "normal channels."

The deviation from normal procedure, Emanuel said, was that the investigation originated from information in the U. S. attorney's office which was placed by it before a grand jury.

The prosecution is expected to rest its case after calling one more witness, T-man Leo Frischman, when the trial resumes at 10:30 A. M. Monday.

(NEWS foto by Bill Meurer)
Rep. Adam Clayton Powell outside Federal Court.

DAILY NEWS
FINAL
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PAGE 5

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TAX MAN SAYS GRAND JURY GOT FALSE DATA

Admits Slip on Powell

The government's star witness admitted yesterday that the grand jury which indicted Rep. Adam Clayton Powell on tax evasion charges was given inaccurate and incomplete information.

Morris J. Emanuel, a special agent of the Intelligence Unit of the Internal Revenue Service, told about the data given the jury during a hammering cross-examination by Powell's chief defense counsel, Edward Bennett Williams.

Powell is on trial before Federal Judge Frederick Bryan and a jury on charges of evading $3,063 in taxes on the 1951 return of his wife, pianist Hazel Scott, and their joint 1952 return. He prepared both returns and she is not accused of any wrongdoing.

EMANUEL CONCEDED the grand jury did not know when it indicted Powell in May, 1958, that duplications made in Miss Scott's 1951 return equalled the amount of income Powell is charged with having failed to declare in that return.

Earlier testimony disclosed that when the jury returned an indictment charging Powell with having understated his wife's 1951 earning by $5,635, it was aware of about $6,000 in duplications of income reports. Emanuel conceded on Thursday that the total amount of erroneous duplications in income of $12,222 was not discovered by government investigators until long after the indictment was returned.

"It (the grand jury) received whatever information our investigation developed up to that time," Emanuel said yesterday.

"You now know on this April Fool's Day, 1960, that that was not accurate information?" Williams asked.

"That's correct," Emanuel replied.

Powell's supporters, who packed the courtroom, burst into loud laughter at this point.

ASKED IF HE stood by the accuracy of the testimony he gave the grand jury, Emanuel answered: "At that time yes, at this time no."

He also acknowledged that the probe of Powell's tax returns was conducted by the U.S. Attorney's office. He said if his Service had made the inquiry, Powell would have been invited to explain discrepancies. He said this was not done in Powell's case, adding he was assigned to cooperate with the U.S. Attorney in the investigation.

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PAGE 12

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Powell Charges City Limits Negro Posts

Discrimination against Negroes is being practiced by the city administration, Rep. Adam Clayton Powell (D., Harlem) charged last night.

"For some reason or other," he told a political meeting at the Renaissance Casino, W. 138th St. and Seventh Ave., "a 6 percent quota seems to be reserved exclusively for Negroes in the City of New York. They hold 6 percent of the combined commissionerships and board memberships. They hold 6 percent of the judgeships."

Yet, he added, "Negroes constitute a thumping 21 percent of the voters in New York County."

Manhattan Borough President Hulan E. Jack told 514 Harlem election district captains at the meeting that he and Rep. Powell will work "within the framework" of the New York County Democratic organization in seeking to unite Harlem Democrats.

The meeting was the first of a new "united Democratic leadership team" formed by Rep. Powell and his associates to oppose Tammany influence in Harlem.

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ACQUITTAL ORDER ASKED BY POWELL

Defense Argues Grand Jury Did Not Get Tax Evidence U. S. Is Using at Trial

By FOSTER HAILEY

Counsel for Representative Adam Clayton Powell Jr. contended yesterday in Federal Court that the grand jury that indicted him in 1956 on charges of income-tax evasion did not have before it the evidence on which the Government is now attempting to prove his guilt.

"The grand jury was misled," Edward Bennett Williams, chief of defense counsel, told Judge Frederick vanPelt Bryan. "If it had had the facts before it, it could not have indicted, no matter how anxious it was to indict."

That charge was one of several made by Mr. Williams in arguing his motion for a directed verdict of acquittal.

He made his motion and began his argument after the Government had rested its case midway through yesterday morning's session. Mr. Williams was still engaged when court adjourned until 10:30 o'clock this morning.

Jury Gets Leave

After the last Government witness, a tax auditor, had testified, Judge Bryan dismissed the jury until Thursday morning. He explained to them that argument "on points of law" probably would continue through today and that he would require another day in which to ponder the arguments and make his decision.

Mr. Williams appeared to base his main argument for a directed acquittal on the allegation that the 1958 grand jury apparently had not received any evidence purporting to show overstatement of deductions.

He admitted that only portions of the grand jury minutes had been made available to him, but he said they appeared to support his argument. Judge Bryan asked the Government [illegible] the [illegible] he could [illegible]

[illegible] not [illegible] a [illegible] was [illegible] question of overstatement of deductions was [illegible] The [illegible] indictment charges only understatement of his [illegible] 1951 income, the attorney said.

The indictment charges Mr. Powell with making a fraudulent 1951 return for Mrs. Powell—[illegible] Scott, the jazz pianist—and with filing a fraudulent joint return for 1952.

Mr. Williams completed his [illegible] yesterday only on the 1952 return.

Duplications Cited

The grand jury minutes show, Mr. Williams said, that even on the charge of understatement of income in 1951, the Government had put at that time discovered duplications of more than $6,000, which would "more than have offset the understatement of income charges."

When the Government finally made that discovery last year, he continued, "it realized it had no case" and attempted to shift the emphasis to overclaims on deductions. That came in the new bill of particulars last December, "which was, in effect, a new information," he said.

Mr. Williams argued further that by failing to make these later charges of illegal deductions before the indicting grand jury, the Government had lost its right to do so, as the six-year statute of limitations expired in August, 1958, one year and four months before it filed its amended bill of particulars.

The twenty-second, and last, Government witness was Leo Frischman, an auditor in the Internal Revenue Service. He answered hypothetical questions put by Mr. Williams and by Morton S. Robson, Chief Assistant United States attorney.

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DATED 4-5-60

PAGE 31

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Powell's Acquittal Asked by Lawyer

By NORMA ABRAMS and NEAL PATTERSON

In a fiery, all-afternoon assault on the government's case, counsel for Rep. Adam Clayton Powell yesterday demanded a directed verdict of acquittal for the Harlem preacher-politician on all three counts figuring in his income tax evasion trial.

The counterattack came after the prosecution rested on the 18th day of Powell's Federal Court trial, and after the 22d prosecution witness stepped down.

In arguments which were still incomplete when the day's session ended, the Powell attorney, Edward Bennett Williams of Washington, charged:

1. Violation of Powell's constitutional rights. Williams asserted that the indictment was based on allegations of understatement of income, which later collapsed, and that the government then switched via a bill of particulars, to charges of improper deductions, which had not been placed before the grand jury.

Deprived, Says Williams

"Whereas this defendant had the right to have 23 persons pass on the indictment, he was deprived of it," Williams declared.

"This jury," Williams also said, referring to the trial jury, which had been examined, "could go out and convict him with evidence on which he was never indicted."

2. Violation of the statute of limitations. The indictment, charging frauds in 1951 and 1952, was returned in 1958. But the bill of particulars — Williams called it an "information"—conveying the charges of illegal deductions was submitted to the defense only last Dec. 17.

Time Statute Limit

This, the attorney asserted, [illegible] one year and three months beyond the six-year limit of the [illegible]

And anyway, Williams said, Powell has been shown, [illegible]

Edward Bennett Williams
In fiery attack

ing into account errors and duplications, the Congressman actually overstated income by $5,740 and was entitled to $2,925 in allowable deductions which he failed to claim.

The indictment accuses Powell of filing a fraudulent return for 1961 for his wife, Hazel Scott, the pianist, and of defrauding the government of $3,693 in taxes for 1951 and 1952.

Recessed Until Thursday

Judge Frederick vanPelt Bryan dismissed the jury of nine women and three men until Thursday morning, telling them legal arguments would consume the afternoon and portions today.

[illegible] U. S. Attorney Barnes will reply to the defense motion. [illegible] granted the motion. [illegible]

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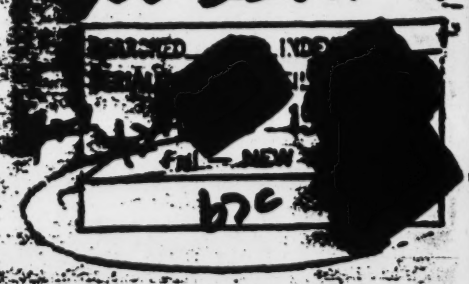

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2d Count Is Dropped In Powell Tax Trial

By FOSTER HAILEY

Judge Frederick vanPelt Bryan dismissed yesterday a second count of a three-count Federal indictment against Representative Adam Clayton Powell Jr. for income-tax evasion.

He ordered trial to continue on the remaining count that Mr. Powell had willfully helped to file a false return on the 1951 income of his wife, Hazel Scott, the pianist.

In overruling a defense motion for a directed verdict of acquittal, Judge Bryan held it was not necessary for the Government to prove that tax actually had been evaded. It is only necessary to show, he held, that there was such an intent.

The count dismissed yesterday had charged Mr. Powell with evading a tax payment by

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DATED 4-8-60

PAGE 1

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understating the 1951 income of his wife. The judge concluded that no tax was due because of testimony showing duplication of income reported and failure to deduct $1,800 in tax paid in Britain.

It was his opinion that the Government had established "at least prima facie" that there had been a substantial understatement of income on the 1951 return. He also held that the Government had established other necessary elements for the trial to proceed on the charge of filing a false return with intent to defraud.

The Court commented: "I should note that this holding is no indication whatsoever that the Government will meet its ultimate burden of proving the guilt of the defendant beyond a reasonable doubt. I merely hold that it has made out a prima facie case under the minimal standards which it is required to meet at this stage of the trial."

Previously, Judge Bryan had

The New York Times

LEAVES COURT: Representative Adam Clayton Powell Jr., Harlem Democrat, in auto bearing name of the church he heads.

questions that he wanted to study, Mr. Williams said.

One was the "element of materiality" of some of the evidence. Another was the question whether Mr. Powell was now being placed in double jeopardy by having the remaining charges reinstated. He argued that the charge retained and the charge dismissed yesterday were based on the same evidence.

Judge Bryan granted him until this morning to study the matter and make any motions.

The count of the indictment on the remaining charges:

That . . . the defendant willfully and knowingly aided and assisted in, and counseled, procured, and advised the preparation and presentation to the Director of Internal Revenue . . . [illegible] . . . [illegible] . . . Powell . . . [illegible] . . . [illegible] . . . [illegible]

2d Powell Count Out, He Fights to Kill 3d

By Milton Lewis

Rep. Adam Clayton Powell jr. whittled the original three-count tax evasion indictment against him down to one yesterday and will fight today to have that go out the window also.

Judge Frederick vanPelt Bryan dismissed one of the counts on Tuesday. Yesterday, he dismissed another and, to the consternation of the prosecution and to the delight of a tense pro-Powell packed United States District Court, he put into the record this statement:

"I should note that this holding (onto one count) is no indication whatsoever that the government will meet its ultimate burden of proving (to the jury's satisfaction) the guilt of the defendant beyond a reasonable doubt. I merely hold that it has made out a prima facie case under the minimal standards which it is required to meet at this stage of the trial."

Where the Harlem Democrat flashed the victory sign even before coming into court yesterday, his counsel, Edward Bennett Williams, acted bitterly disappointed. He made it plain he was far from satisfied with having only a second third of the true bill dropped. He quickly came up with a new motion in an attempt to make a clean sweep and keep anything from going to the jury.

He successfully petitioned the court to hear argument today on his contention that Judge Bryan has now unwittingly placed Mr. Powell in double jeopardy. It is

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Mr. Williams' position that Count No. 2, dismissed yesterday, flows from Count No. 1, still considered alive.

Mr. Williams feels that the first two counts are inextricably interwoven, and that if one falls —as it did yesterday—the other must die, too. Both these counts deal with Mr. Powell's preparing and filing the 1951 return of his wife, the pianist Hazel Scott. She is not accused of any wrongdoing. Count No. 3—killed on Tuesday—dealt with the couple's joint 1952 return and was dropped after the prosecution, which rested Monday, conceded it had failed to sustain the charge.

The Accusation

The count erased yesterday accused Mr. Powell of fraudulently paying only $590 on a reported net of $3,815 instead of $1,990 on a true net of $9,181—or to put it another way, short-changing the government by $1,400 on his wife's 1951 return. Her gross for that year was $50,000.

Here the court ruled that in order to make a case, the government must not only prove fraud but that a tax is also due. After noting that he had followed the battle of the blackboards between opposing counsel—and finding them inconclusive—and after taking various other matters into consideration, Judge Bryan said:

"Since the prosecution has not established prima facie that there is any tax due and owing to the government by Mrs. Powell for the year 1951, an essential element of the crime charged under Count 2, it has failed to make out a case on this count.

"This is apart from the question of the element of willful intent to defraud on the part of the defendant, which is also an essential element of the crime charged under Count 2, on which I do not now pass."

Count 1—still in the indictment—accuses Mr. Powell of knowingly filing a "false and fraudulent" 1951 return for his wife, the court saying:

"It is not an element of the crime that there be a tax due and owing to the government. . . . On Count 1 it is sufficient if the government shows that the defendant willfully aided in the preparation of a false and fraudulent return which understated Mrs. Powell's net income for 1951. . . . The government has established, at least prima facie, that there is a substantial understatement of net income on the 1951 return."

Advises Jury

The judge then called in the jury of nine women and three men and advised them that the second and third counts had been dropped. He stressed that this was not to influence them in any way as to the remaining count. He then recalled that he had indicated to Juror No. 4—Miss Blanche Rosenberg, an investor, of 2125 Holland Ave., the Bronx—that the case would be over by next Tuesday when the jury was sworn March 9.

Miss Rosenberg is scheduled to sail on the Constitution that day for a ten-week European vacation, and rather than have her miss the trip she had been looking forward to for some time, Judge Bryan excused her from the box with thanks. She was replaced by an alternate, William Spelman, of 10 Meadowlark Road, Port Chester, a builder. The jury proper now consists of eight women and four men—with two male alternates still standing by.

Outside of court, Mr. Williams was asked if he intended to put Mr. Powell or any witnesses on the stand if he fails to get the lone count stricken by the court. He said:

"I know, but I won't tell you."

Herald Tribune photo by Ira Rosenberg

ONE COUNT REMAINS—Two of three counts of his income tax evasion trial dismissed, Rep. Adam Clayton Powell leaves Federal Court yesterday, accompanied by a friend, Ruth King.

6-750 (Rev. 12-14-88)

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OFFICE MEMORANDUM * * * UNITED STATES GOVERNMENT

TO : SAC, ATLANTA (100-4593) DATE: 4/19/60

FROM : SAC, CHICAGO (100-35635)

SUBJECT: NATION OF ISLAM
IS - NOI

The following information was made available by [redacted] who has furnished reliable information in the past, on the dates indicated: b2

2-Atlanta (RM)
1-100- (MARTIN LUTHER KING)
1-Birmingham (100- MARTIN LUTHER KING) (Info) (RM)
2-Detroit (100-5549) (Info) (RM)
1-[redacted]
4-New York (105-7809) (Info) (RM)
1-105-8999 (MALCOLM X LITTLE)
1-[redacted]
1-100- (ADAM CLAYTON POWELL)
4-Philadelphia (25-20075) (Info) (RM)
1-[redacted]
1-[redacted]
1-[redacted]
1-Washington Field [redacted] (Info) (RM)
14-Chicago
1-[redacted]
1-100-31176 (The "Crusader")
1-[redacted]
(23)

b7C

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/29/88 BY [redacted]

100-22864-681

[redacted]

b7C

CG 100-35635

2/20/60

[redacted]

Brother MALCOLM (MALCOLM X LITTLE, Minister of Temple No. 7, New York City), at the residence of [redacted], was in contact with [redacted] at the [redacted] Hotel. MALCOLM stated he had caught part of the program, but wanted to correct one thing and that is that [redacted]

b7c

[redacted]

Brother MALCOLM, at the residence of [redacted] was in contact with [redacted] of the Sherman Hotel, Chicago. MALCOLM stated that he would meet [redacted] indicated that he would not be leaving until 6:00 p.m. [redacted] MALCOLM indicated that he had not met him, but he had heard about him. [redacted]

[redacted]

4-750 (Rev. 12-14-88)

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NY100-22864-381 pages 3-5

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JURY DISAGREES IN POWELL TRIAL

Judge Dismisses Panel—He Will Hear Motion for Acquittal on May 12

By FOSTER HAILEY

The Federal jury that heard the income tax case against Representative Adam Clayton Powell Jr. reported yesterday that it was unable to agree on a verdict and was discharged.

Judge Frederick vanPelt Bryan set May 12 to hear further argument on a defense motion for a judgment of acquittal on the ground that the weight of the evidence favored the defendant. He had taken the motion under advisement on Monday when both the defense and the Government rested their cases.

Harry Erter, a Bronx insurance broker who was foreman of the jury, indicated that the jury had been divided evenly. Later, however, he confirmed reports from other members of the jury that the final vote had been 10 to 2 for acquittal. Up to that time, the vote had been 8 to 4 for acquittal. The two jurors who held out to the end for conviction were not identified.

Powell Lists Plans

Mr. Powell, who had appeared confident of acquittal through the seven weeks of the trial, said:

"I have no plans except to go back to work. I shall conduct a prayer meeting at my church, preach the sermon Sunday and then return to Washington and the floor of the House on Monday."

He is pastor of the Abyssinian Baptist Church in Harlem as well as Representative from the Sixteenth Congressional District in Upper Manhattan.

The charge against him was that he had filed a fraudulent tax return for his wife, Hazel Scott, the jazz pianist, for 1951. The indictment was returned in May, 1958.

The jury of eight women and four men was given the case Thursday afternoon. Shortly after 3 P. M. yesterday, it sent word that agreement was out of the question.

Twice during the intervening time the jurors had reported to Judge Bryan that they were deadlocked and not likely to reach a verdict. The first time

Continued on Page 12, Column 4

CLIPPING FROM THE

N. Y. Times

EDITION Late City

DATED 4/23/66

PAGE 1, 12

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re: Adam Clayton Powell
wfc. concerning

62-11456

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JURY DISAGREES IN POWELL TRIAL

Continued From Page 1, Col. 2

was Thursday night, the second at 1:20 P. M. yesterday. Each time he sent them back for further deliberation. When they sent him a third note yesterday afternoon, he reluctantly acceded to their request to be discharged. The final note said: "It will be impossible for this jury to reach a verdict. We have sincerely tried to the best of our ability."

Judge Bryan told the jurors he was sure that "that last sentence is entirely correct" and thanked them for their long judge in court and in the jury room.

Early Annoyed Jurors

The jury members appeared tense and weary on their two reappearances in the courtroom. One woman juror, Mrs. Antoine Rosello, was weeping when she came in yesterday afternoon for the first time.

However, Mr. Erter, the foreman, said that there had been no really harsh arguments in the jury room. He explained Mrs. Rosello's nervousness as due to lack of sleep. There were several student parties going on at the hotel where they had spent the night, he said, "and none of us got any sleep."

Another woman juror, Mrs. Minnie Miller, was suffering from a gall bladder attack the last few days of the trial and went from the courtroom straight home and to bed. Several were obviously suffering from colds.

After the jurors had been discharged, Judge Bryan asked Edward Bennett Williams, chief defense counsel, if he wished to be heard further on his motion for a judgment. Mr. Williams said he did.

Judge Bryan first set next Tuesday morning for the hearing. But then he recalled that Morton S. Robson, chief assistant United States attorney, had planned a ten-day vacation, to start next Wednesday. The judge then set the date at May 14.

Under the Federal rules of criminal court procedure, Judge Bryan could have ruled favorably on the defense motion even had the jury voted a conviction.

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POWELL WARNS CHICAGO:

Get Rid Of Your "Uncle Toms"

N. Y. Congressman Tells Of Harlem Unity In Major Speech At 2nd Annual Exposition Here

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DATE 4/11/88 BY [redacted]
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THE NEW CRUSADER
Weekly Edition
Date MAY 28 1960
Chicago, Illinois
Page 1 Col. 1
Part —
Editor BALM L. LEAVELL, J
CHICAGO OFFICE

In an unprecedented ringing denounciation of Negro Uncle Toms in Chicago and elsewhere, militant New York Congressman Adam Clayton Powell (Democrat) told Chicago Negroes to "get rid of" their Uncle Toms if they expect to make a bid for complete equality. Introduced by Dan Burley, New Crusader Managing Editor, he spoke as the star attraction at the Friday night session of the Second Annual Exposition of the Negro in Business and Culture at the Chicago Coliseum. The congressman was wildly cheered by enthusiastic listeners. The text of his remarks follow.

[illegible]

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WHEN HE CARRIED PICKET SIGNS

A long time ago when I first carried picket signs at 125th street [illegible] and Rev. [illegible] were carrying picket signs here [illegible] we were fighting for the rights of Negro people. When I [illegible] in New York city to hire Negro bus drivers [illegible] for Negro people. When I forced 125th street to hire Negro [illegible] was for Negro people. When I got elected to the city council [illegible] York for the first time it was for the rights of the Negro [illegible] There in the city council I forced the hospitals to accept Negro [illegible] and Negro doctors in all hospitals and forced the college to [illegible] Negro scholars on their faculties that was for Negro people.

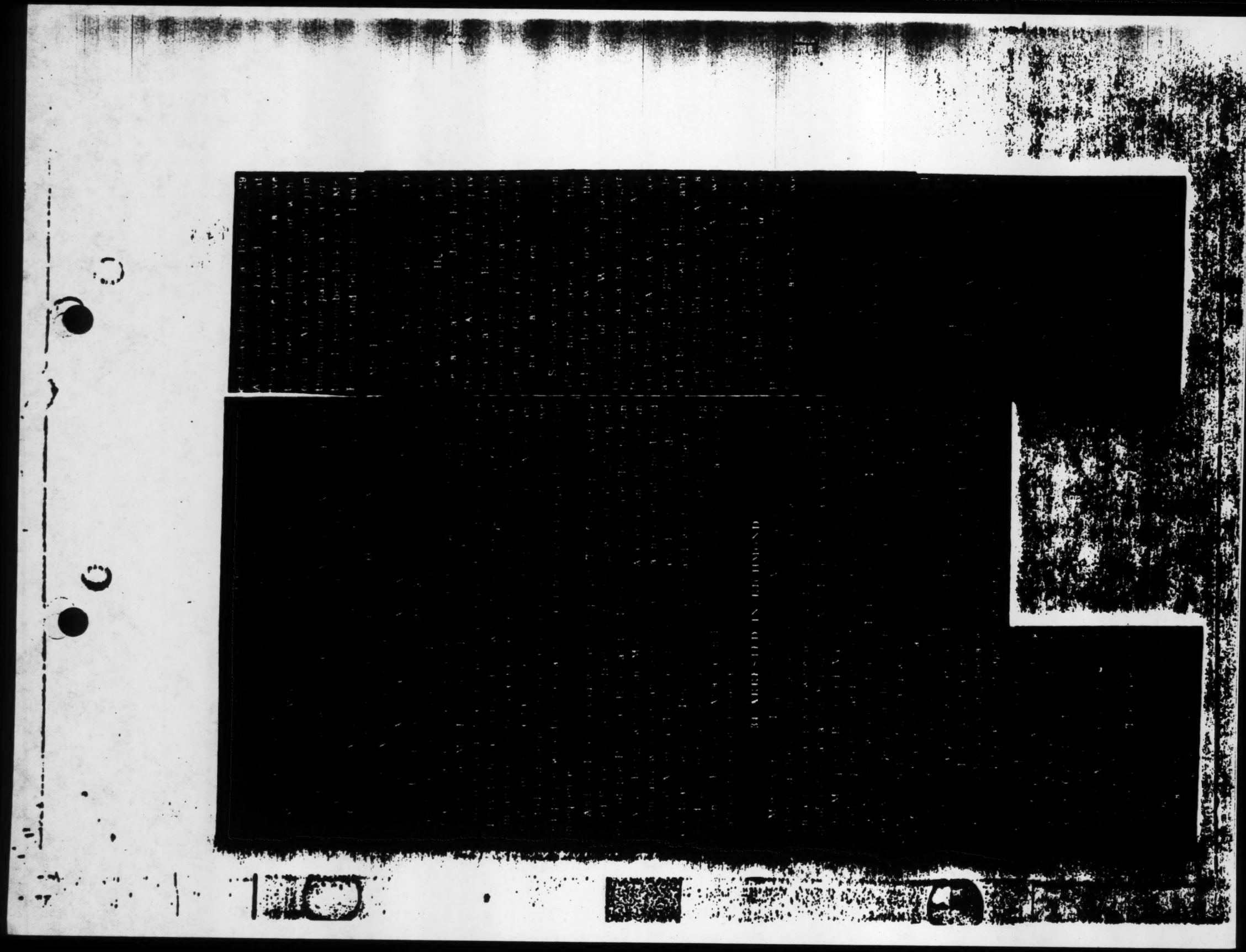
When I went to Congress sixteen years ago and introduced every [illegible] civil rights bill or as a thorn [illegible] it was for the Negro [illegible] Everything that I have done [illegible] 1955 I did for the Ne[illegible] people. But in 1955 there was held in Bandon, Indonesia, a con[illegible] of 29 colored nations [illegible] in an unbroken array from [illegible] to Japan across the whole earth and when I went there I [illegible] out the facts the fact that the world was judging the [illegible] States upon the basis of what was happening to Negro peo[illegible] then I decided that the fight for civil rights was no longer a [illegible] for you (the Negro people) and a fight for me but was a [illegible] to save the United States of America. This is the turning point [illegible] my own thinking and in my own fight.

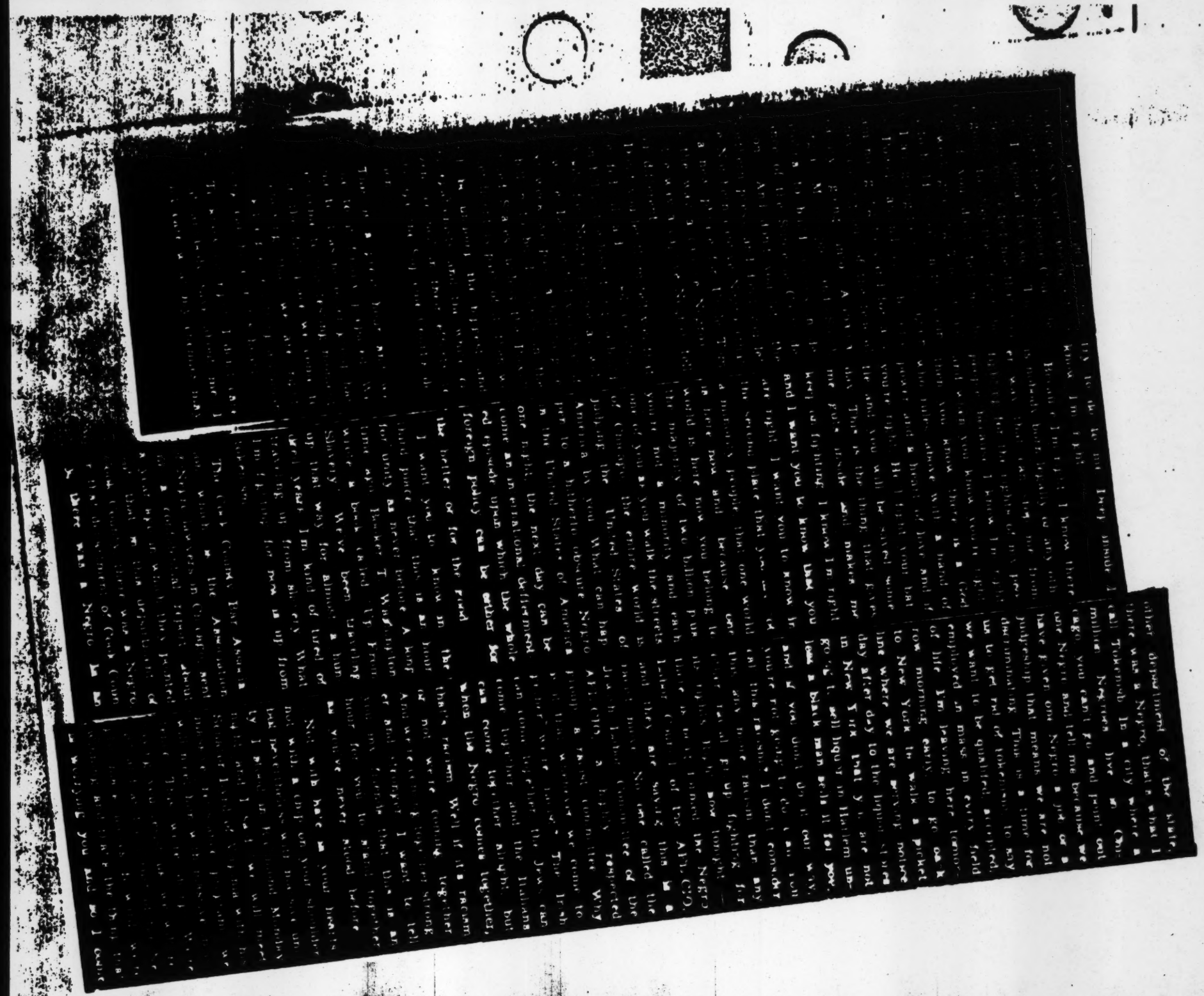
FIGHT TO SAVE UNITED STATES

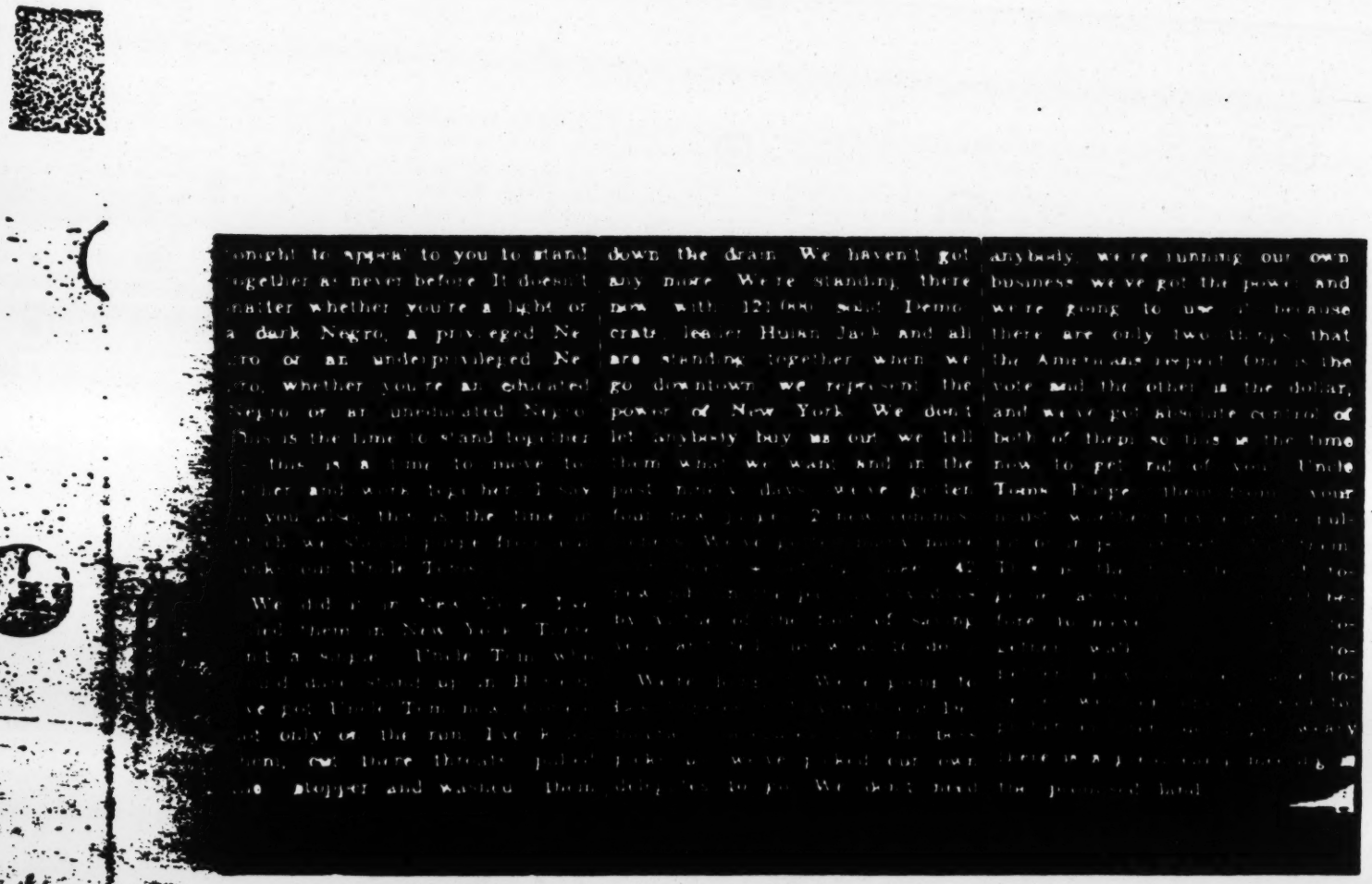
This is the thing I want to present to you tonight. What we do [illegible] in Chicago or Harlem or what our sit in young men and [illegible] are doing in the south is not a fight for you (the Negro peo[illegible]) nor for me as Negroes per se. This is a fight to save the United [illegible] of America. Our country has now come to an enescapable [illegible] before the eyes of the world that as long as we have second [illegible] citizenship America is in danger of being a second class [illegible]. This is the enescapable fact. Today as we look out upon [illegible] our hearts are heavy because the United States has sunk [illegible] the lowest point in terms of world opinion. The execution of [illegible] the [illegible] of the U2 [illegible] airplane flight [illegible] the shooting down of a new U.S. place today in [illegible] All of these have pushed America down in the eyes [illegible] world.

Today I believe that the only people who can save the United [illegible] America from the [illegible] nationhood are the Negro peo[illegible] [illegible] The first revolutionary of [illegible] America had was a black man, Chrispus Attucks. [illegible] we represent the last, I was saying [illegible] and saw the remarkable [illegible] you can buy. To [illegible] of Chrispus Attucks had been a white man there would

(Continued On Page 7)







ought to appeal to you to stand
together as never before It doesn't
matter whether you're a light or
a dark Negro, a privileged Ne
gro or an underprivileged Ne
gro, whether you're an educated
Negro or an uneducated Negro
This is the time to stand together
this is a time to move to
ether and work together I say
you also, this is the time
to all stand together
take our Negro

We did
Tom in New York
a super Uncle Tom
and stand up
've got Uncle Tom
only on the run I've
them, our Dore threats piled
the stopper and washed them

down the drain We haven't got
any more We're standing there
now with 12 000 solid Demo
crat leader Hulan Jack and all
are standing together when we
go downtown we represent the
power of New York We don't
let anybody buy us out we tell
them what we want and in the
past many days we've got
four new
We've

by
We

We're
in

anybody we're running our own
business we've got the power and
we're going to use it because
there are only two things that
the American respect one is the
vote and the other is the dollar,
and we've got absolute control of
both of them so this is the time
now to get rid of you Uncle
Tom's Page them from your
to
to
to

OFFICE MEMORANDUM . UNITED STATES GOVERNMENT

TO : SAC, ATLANTA (100-4593) DATE: 6/21/60

FROM : SAC, CHICAGO (100-35635)

SUBJECT: NATION OF ISLAM
IS - NOI

The below information was furnished on the dates indicated by [redacted] who has furnished reliable information in the past: b2

May 23, 1960

[redacted] b7C

2 - Atlanta (RM)
2 - Boston (97-145) (Info) (RM)
1 - [redacted]
1 - Detroit (100-5549) (Info) (RM)
2 - Los Angeles (Info) (RM)
1 - [redacted]
1 - [redacted]
1 - New Haven (Info) (RM)
1 - [redacted]
2 - Newark (1[illegible]-169) (Info) (RM)
1 - [redacted]
5 - New York (105-7809) (Info) (RM)
1 - 105-8999 (MALCOLM X LITTLE)
1 - [redacted]
1 - 100- (ADAM CLAYTON POWELL)
1 - [redacted]
2 - Philadelphia (1[illegible]-5174) (Info) (RM)
1 - [redacted]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 4/11/84 BY [redacted] b7C

b7C

100-22864-689

JUN 22 1960 FBI NEW YORK

b7C

COPIES CONTINUED ON 1A PAGE

[redacted] b7C

(33)

CG 100-35635

1 - Portland (Info) (RM)
2 - San Francisco (25-29163) (Info) (RM)
1 - [redacted]
1 - Seattle (Info) (RM)
2 - Washington Field (100-22829) (Info) (RM)
1 - [redacted]
10 - Chicago
1 - [redacted]
1 - 100-32530 (UNIVERSITY OF ISLAM NO. 2)
1 - [redacted]
1 - [redacted]
1 - [redacted]
1 - [redacted]
1 - [redacted]
1 - [redacted]
1 - [redacted]

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4-750 (Rev. 12-14-88)

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FBI/DOJ

[redacted]

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Brother MALCOM was in contact with [redacted]

[redacted]

6-750 (Rev. 12-14-88)

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FBI/DOJ

CG 100-35635

May 28, 1960

[redacted] b7C

[redacted] was in contact with Brother MALCOLM at CL 1-6320, New York City. MALCOLM advised that Allah was with them today but many of the invited guests did not show up. MALCOLM estimated six to eight thousand were there. MALCOLM stated it was a peaceful meeting with no incidents and all who spoke were in "our favor" and even some who were not followers praised MUHAMMAD's work. It was indicated that two local civic and political people were there and that [redacted] (probably [redacted] and that a letter stating he was committed elsewhere. MALCOLM suggested they try what they have done in Detroit sometime in the other direction. MALCOLM said he would be in Philadelphia tomorrow with [redacted] were there and exchanged greetings with [redacted] It was indicated that the other two brothers had left and should be in Chicago about 1:00. It was indicated [redacted] car was at the airport and that [redacted] left for his home. 1 b7C

4-760 (Rev. 12-14-88)

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☐ (b)(3)	■ (b)(7)(C)	☐ (k)(1)
_____	■ (b)(7)(D)	☐ (k)(2)
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☐ For your information: _____

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HQ 100-51230-216

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Hazel Scott-Powell Rift Is [redacted]e Open

BY [redacted] POSTON

The long-rumored break in the marriage of Rep. Adam Clayton Powell Jr. and swing pianist Hazel Scott came into the open today.

Miss Scott, who is rehearsing for her Broadway debut as a dramatic actress in Langston Hughes' play, "Tambourines to Glory," told The Post that she has asked the flamboyant Congressman-minister for a divorce.

"However," she added, "a stalemate has been reached because, to date, Mr. Powell refuses to pay what I consider adequate support for his child (Adam Clayton "Skipper" Powell III, 14) and costs of the divorce."

Bids Powell Pay Cost

She said: "If he continues to refuse to pay for this divorce, and no agreement can be reached, there just will be no divorce because I am not about to pay for it."

Powell, pastor of Abyssinian Baptist Church, who is just winding up a 26-city tour for the Democratic Presidential ticket, was reached in Detroit, but declined to comment on Miss Scott's statement.

He authorized John Young, his public relations representative who is traveling with him, to say, however:

"Adam Powell loves his son, Skipper, and is paying all of his costs for tuition and board at the exclusive Riverdale School in New York, a sum which runs into thousands of dollars.

Miss Scott Reveals Facts

"He also has the highest respect for Skipper's mother, Hazel, and only regrets that others have persuaded her to issue this statement at this time."

Miss Scott said that she instructed her attorneys, Vincent J. Malone and Angelo Maurino, several weeks ago to tell Powell that she wanted a divorce, and that negotiations were started with Harrison Jackson, Powell's personal attorney, who is now a candidate for the Municipal Court bench in Tuesday's elections.

Harlem newspapers carried stories several weeks ago that an agreement had been reached —"a statement," Miss Scott said,

CLIPPING FROM THE

N. Y. Post

EDITION Blue - 1 Star

DATED 11-3-60

PAGE 5

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[redacted] of Gail Will, continues to [redacted] myself, as I have [redacted] — the situation is a [redacted] ation.

"As for remarriage plans on my part, nothing could be further from my mind. If, therefore, Mr. Powell continues to refuse to pay for this divorce, and no agreement can be reached, there just will be no divorce, because I am not about to pay for it."

Jackson, who was co-counsel with Edward Bennett Williams in Powell's recent income tax trial which involved a European concert tour by Miss Scott and her family in 1955, confirmed that he had negotiated "a separation agreement" for the couple, but declined to discuss details.

"The Congressman is willing to live up to that agreement," he said.

Powell and Miss Scott, then at the height of her career as a jazz concert pianist, were married on Aug. 1, 1945 at the Bethel A. M. E. Church in Stamford, Conn.

[redacted] [redacted] [redacted] [

POWELL PRESSING WAGE BILL ACTION

Puts Democrats on Labor and Education Group to Work Before Session

By C. P. TRUSSELL
Special to The New York Times.

WASHINGTON, Nov. 11—Representative Adam Clayton Powell Jr. put majority members of the House Committee on Education and Labor to work today, nearly two months before the convening of the Eighty-seventh Congress. He began setting up study groups for the presentation of legislative proposals by Dec. 12 for consideration when the new Congress opened.

Mr. Powell predicted that the committee would approve bills on a minimum wage and Federal aid to education within a month after the Congress convened.

The Harlem Democrat was re-elected last Tuesday without having campaigned for himself, although he went through fifteen states in behalf of Senator John F. Kennedy. He was confident that he would ascend to the chairmanship of the committee when the new Congress organized. Under the seniority rule of the House, he is entitled to the post. He is now the No. 2 man.

Representative Graham A. Barden, Democrat of North Carolina, announced last January that he would not seek re-election and the committee's chairmanship, which he had held through many stormy years. Mr. Barden and Mr. Powell have been poles apart on most issues before the panel.

Talk Against Powell

There was talk of maneuvers that might deprive Mr. Powell of the chairmanship despite the seniority rule. It was even suggested that the committee's functions, education and labor, be divided between two ranking Democrats if the Republicans lost again in Congress.

CLIPPING FROM THE

N. Y.

DATED 11/12/60

FORWARDED BY NY DIVISION

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Last February George Meany, president of the American Federation of Labor and Congress of Industrial Organizations, said that the elevation of Mr. Powell to the chairmanship of this key panel would be "terrible." He criticized Mr. Powell's attendance record in the House and what he viewed as his "racist" campaign in his home district.

Since then Sam Rayburn, Speaker of the House, has indicated that the seniority rule would prevail in the case of Mr. Powell. Today at a news conference Mr. Powell indicated that he had had assurances from the Speaker. He forecast no movement to break the seniority rule or to split the committee.

Mr. Powell took notice of some objections to his chairmanship. He volunteered that as chairman he would not head a committee panel that dealt with a Fair Employment Practices Commission, or present to his committee an amendment that would deny Federal aid to school districts that had refused to desegregate their classrooms.

He added, however, that he might offer such an amendment from the floor.

In the last floor fight over the education aid measure Mr. Powell's amendment was adopted, but the bill was blocked.

Science Program

Today Mr. Powell left to the new No. 2 and No. 3 men, Representatives Cleveland M. Bailey of West Virginia and Carl D. Perkins of Kentucky, their choice of the two divisions of the committee, education and labor.

He called on Representative Carl Elliott of Alabama to develop a "crash" program on the sciences, including engineering and technology, plus an on-the-spot survey in the Soviet Union. Mr. Elliott's job would be to recommend legislation that would lessen any gap between American and Soviet scientific gains.

Representative Edith Green of Oregon was assigned to study the problems of potential juvenile delinquents and plans to "salvage" them through camps that would develop their talents.

Representative James Roosevelt of California was assigned to explore the idea of "massive" scholarship aid for qualified youth from Africa, Asia and Latin America. He was also called on to seek legislative proposals on President-elect John F. Kennedy's idea for the training of a peace corps among college youth and others who might be drafted for military service.

Mr. Powell asked Representative Frank Thompson Jr. of New Jersey to work on general proposals on what the Federal Government could do to help cultural activities at home and abroad.

Representative Herbert Zelenko of Manhattan was assigned to gather proposals for dealing on a permanent basis with irregularities in the fields of management and labor. Representative Elmer J. Holland of Pennsylvania will study unemployment and automation's impact on employment.

The Democrats assigned to these and other missions, Mr. Powell said, will work at their own expense and without staff assistants.

He emphasized that the committee's agenda would be topped by consideration of the two big bills that failed in the Eighty-sixth Congress, Federal aid to education and a plan to raise the minimum wage laws from $1 to $1.25.

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To Fete Powell On Chairmanship

Adam Clayton Powell, Democratic Congressman from Harlem, will be honored as the incoming chairman of the House Committee on Education and Labor at a testimonial dinner Jan. 29 at the Hotel Commodore.

Arthur J. Goldberg, named as the new Secretary of Labor, will be a featured speaker.

N. Y. [illegible]

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What Is a Wife Worth? Powell Payroll Shows 9G

Washington, Feb. 22 (INS).—Rep. Adam Clayton Powell (D-N.Y.) has given his secretary a $9,900-a-year raise since he married her, the House payroll for January revealed today.

The figures showed that Powell set the pay of his secretary-wife at the rate of $12,974 a year. Before their marriage, Mrs. Powell, the former Yvette Marjorie Flores, was paid $3,074.

Mrs. Powell, 27, who married the Congressman Dec. 15, still was listed on the payroll as Y. Marjorie Flores.

She is the highest paid of six assistants to Powell, 52.

There is no law against Congressmen hiring relatives to work for them. In addition to his salary of $22,500 a year, each Congressman gets $40,000 for his office help.

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Ousts Old Staff, Names Some Negroes

Powell Shows Zest in House Post

By Earl Mazo

WASHINGTON, Mar. 11.—A sight to behold in Congress is the transformation of Rep. Adam Clayton Powell from a back-seater to boss of the House Committee on Education and Labor.

Rep. Powell has bounded into the chairmanship of this potent committee with the zest and resourcefulness he has channeled into such non-Congressional activities as globe-trotting, night-clubbing, stumping the racial circuit in election campaigns and preaching at the Abyssinian Baptist Church, 138 W. 138th St., in New York, where he is pastor.

Since taking over the chairmanship in January, he has changed everything from the subcommittee setup to the decor of the committee chamber.

He has swept out nearly the entire twenty-one-member, all-white staff of his predecessor, former Rep. Graham A. Barden, D., N. C., and replaced it with a forty-four-member staff, including several Negroes.

Ignored by Barden

Rep. Powell became chairman this year through seniority following the retirement from Congress of Rep. Barden, a hard-shell segregationist, who for many years sought to ignore the fact that Rep. Powell was even a committee member.

"Barden excluded me," says Rep. Powell about his generally lusterless first sixteen years as Representative of the 16th Congress District in Harlem.

But a trip to Puerto Rico this week end points up how things have changed since the playboy Congressman assumed the prestige, power and responsibility that goes with the title, "Chairman Powell."

The exotic Caribbean island has been one of his favorite playgrounds.

On this trip, however, there was hardly time for anything but work on problems of educating Puerto Rican children. The chairman said before leaving Friday that he and his party had scheduled enough sessions with the Governor, Education Commissioner and other island officials to keep everybody "conferring" right up to the moment of departure for Washington Sunday night.

Absentees Penalized

The "old" Adam Powell would not have exerted himself much to show up for Congress on a Monday morning after a Puerto Rican week end. (Actually, he was absent from Washington more often than not during his first eight terms).

But the "new" Adam Powell—

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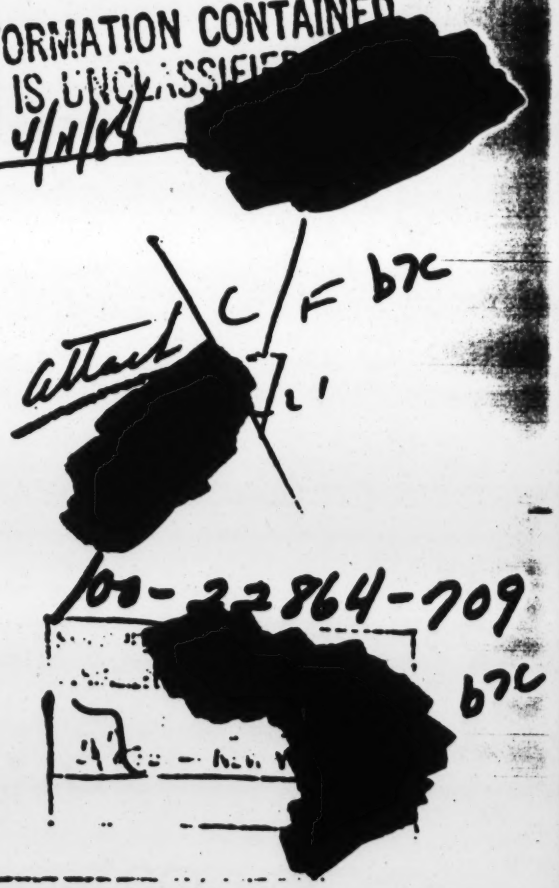

"Chairman Powell"—aims to b
in his committee domain on th
fourth floor of the Old Hous
Office Building early on Mon
day, as he has been almos
every morning since Jan. 3
. Among his initial innovation
as committee boss was to se the
time for meetings at 9:45 . m.
instead of 10. He also put
through a rule automatically de-
throning subcommittee chair-
men who miss three consecutive
meetings or a total of five with-
out acceptable excuses. He de-
vised a communications system
to keep in constant contact with
all units and sub-units of his
command.

There is, for example, an electronic web by which Rep. Powell may participate in committee or subcommittee sessions from almost anywhere.

The key to this network is a little microphone-loudspeaker.

Last Tuesday while a subcommittee was studying the minimum wage bill in executive session a deep, resonant voice came suddenly from the middle of the table:

"This is Chairman Powell."

Rep. John N. Dent, D., Pa., who hadn't been told about the microphone gadget, jumped from his chair, shouting, "Where are you? Where are you?"

"Down the hall in my office," replied the chairman.

Whole Place Repainted

"Oh," said Rep. Dent—and the discussion continued, with Chairman Powell participating in absentia, so to speak.

The first change he made was in the committee chamber. He has had the whole place repainted, the floor covered with ankle-deep, baby-blue carpeting wall-to-wall, colorful drapes hung on the windows, and the back wall decorated with large portraits of all committee chairmen—from Fred A. Hartley, R., to Adam C. Powell, D. (Mr. Barden balked at sending his, but Chairman Powell unearthed one).

The Capitol Architect's department paid for the decorating.

Another milestone for Chairman Powell is the appropriation voted for his committee. It comes to about $1,000,000—or twice what the committee spent last year under Rep. Barden.

A glance at Rep. Powell's plans and at the vast amount of legislative work ahead in the education and labor areas shows why.

Among other things, the chairman has set up three investigating subcommittees.

One, headed by Rep. Dent, is looking into the doings of the National Labor Relations Board; another headed by Rep. Elmer J. Holland, D., Pa., is investigating automation; and the third, led by Chairman Powell himself will investigate anything it thinks necessary in the future labor-management field.

Take a 5-Room Suite

This Powell subcommittee has taken a five-room suite for itself, and the chairman has put Richard Fullmer, a former staff chief of the Kefauver Senate Crime Committee, in charge. Rosi Lumen Romon, of Brooklyn, one of the investigators, is, according to Rep. Powell, "the first Puerto Rican appointed to a Congressional committee staff."

The chairman expects his subcommittee's investigations to range from racketeering and irregularities in labor unions or management, to racial and religious discrimination in employment.

As a newcomer to the Democratic Congressional hierarchy, Rep. Powell expresses great faith in his party's new national leader, President Kennedy, whom he knows as "Jack," and the President's brother, Attorney General Robert F. Kennedy, whom he calls "the Sheriff of the New Frontier."

But at the same time, Rep. Powell inuicates clearly that his investigating subcommittee might find it necessary to ride herd, or at least keep an eye on, the Administration's enforcement of anti-discrimination laws and directives.

He insists, incidently, that his investigations will be conducted differently from those of the much-publicized Senate committee that was headed by Sen. John L. McClellan, D., Ark., with Robert Kennedy as chief counsel.

"Under no circumstances will my committee be a McClellan, headline-hunting, TV or witch-hunting committee," says Rep. Powell. "I'll see to it that the civil rights of no human being will be hurt. I will sit on this myself. All investigations will be made under me."

Another article will appear tomorrow.

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SAC, NEW YORK (62-11456) 3/29/61

SA [redacted] - NIGHT SUPV.

b7C

ADAM CLAYTON POWELL
INFORMATION CONCERNING

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 4/12/78 BY [redacted]

On 3/28/61, [redacted] of the Bureau called me. He stated that he wished to obtain some information regarding the tax trial of ADAM CLAYTON POWELL and requested that the NYO check indices on POWELL. [redacted] advised that he wished to ascertain the date of the acquittal of POWELL in his tax trial or to ascertain if POWELL was not, in fact, acquitted. b7C

A check of the indices of the NYO reflected regarding POWELL the following: 62-11456, 100-22864, and numerous references. A review of 62-11456 and a review of volumes 6 and 7 of 100-22864 and a review of numerous references on POWELL failed to elicit the above-requested information.

[redacted] again contacted the NYO and suggested that if we had been unable to ascertain the above-requested information, attempts should be made to contact SILVIO J. MOLLO, Chief, Criminal Division, SDNY. Mr. MOLLO could not be reached. However, AUSA ARNOLD N. ENKER advised that regarding POWELL's tax trial, counts number 2 and number 3 of the indictment were dismissed by the judge. He stated that count number 1 went to the jury for deliberation on April 21, but resulted in a hung jury. The jury was dismissed by the judge on April 22. b7C

This information was furnished to SA [redacted] at the Bureau who acted for [redacted] wanted to know if the above facts indicated that the POWELL tax trial was completely disposed and suggested that this specifically be discussed with the AUSA. b7C

1 - New York (62-11456)
[redacted] New York (100-22864)
(2) b7C

100-22864-713

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AUSA GEORGE I. GORDON advised that counts 2 and 3 in the POWELL case which had been dismissed by the judge were completely disposed. He stated, however, that count number 1 was still alive and opened for determination by the Department. He indicated that the United States Attorney's Office of the SDNY had made a recommendation to the Tax Division regarding the disposition of count 1 but stated that he felt this recommendation should not be divulged until a decision was reached by the Tax Division. This information was telephonically furnished to SA [redacted] SA [redacted] stated b7c that he felt that the information which we furnished would adequately cover request by [redacted]

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U.S. Drops Tax Case Against Rep. Powell

Rep. Adam Clayton Powell's income-tax troubles disappeared yesterday, the government quashing the last of three counts involving 1951-52 income of the Harlem leader and his ex-wife, pianist Hazel Scott.

Federal Judge Charles Metzner dismissed the remaining count at the request of U.S. Attorney Morton S. Robson, who said "there is no realistic chance to successfully prosecute it."

A FEDERAL COURT jury deadlocked last April 22, after a seven-week trial on this specific charge—that Powell willfully filed a false income-tax return on behalf of Miss Scott for 1951.

During that trial, Judge Frederick van Pelt Bryan dismissed the other two counts of the original indictment. They charged the Congressman evaded $3,063 in taxes on a 1951 return and on a joint return he and Miss Scott filed for 1952 earnings.

Metzner noted yesterday that the issue on which the jury disagreed last year concerned Miss Scott's earnings abroad, and he said the government was unable to produce "certain witnesses" from Europe.

AS A RESULT, the prosecutor stated, the evidence showed an overstatement of the pianist's gross income for 1951, rather than an understatement.

Also, he said, Miss Scott's return failed to claim credit to which she was entitled for about $900 in income-tax payments she made to Sweden and the United Kingdom for money earned while playing in those countries.

Miss Scott was not a defendant and was not called as a witness. She and Powell are divorced and both have remarried.

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Tax Indictment Dropped

'Good, Good, Good, Good,' Says Powell

By Milton Lewis

A Federal judge yesterday dismissed the tax fraud indictment against Rep. Adam Clayton Powell jr. at the government's request after it conceded it "could not obtain a conviction in a second trial."

"Good, good, good, good!" the Harlem Democrat exclaimed when advised in Washington via telephone of what had happened in United States District Court. Then after the four "goods," he inquired:

"What judge was it?"

"Charles M. Metzner" (appointed by President Eisenhower in 1959).

"I don't know him."

Mr. Powell, chairman of the influential House Education and Labor Committee, then begged off for ninety minutes to collect his thoughts before making further comment. When he did, he touched all bases.

He expressed the view he had received "complete vindication" and praised Attorney General Robert F. Kennedy—who had to approve the Justice Department's move to kill the indictment—for his "fair play." He also reiterated that his trial was politically inspired during the Eisenhower administration.

He called for all kinds of investigations, including the handling of his case by the Internal Revenue Service and the Justice Department. He described the price of "$4,000" for daily trial minutes he paid at the rate of "87 cents a page" as "exorbitant"—possibly unaware that the prices are set by the Judicial Conference of the United States, headed by Chief Justice Earl Warren. (The price depends on various factors, including the number of persons wanting copies.

He demanded that accountants whose clients get indicted be named co-defendants and

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charged that "not a single" Puerto Rican "and only three Negroes" were on the panel from which his trial jury was picked.

"If this kind of [illegible] happened to me, what would happen to an ordinary John Doe?" Mr. Powell asked. "God help the rest of America if they can do this to [illegible] why I'm going to [illegible] protection of every [illegible]."

The specific motion [illegible] dismiss the indictment was made by outgoing United States Attorney Morton S. Robson, who prosecuted Mr. Powell at the seven-week trial which ended last April. At that time [illegible] the three counts were [illegible] but the window by the bench Judge Frederick vanPelt Bryan. On the remaining count the jury, including one Negro, was unable to agree, voting ten to two for acquittal.

This accused the defendant of filing a fraudulent 1951 return on behalf of the jazz pianist, Hazel Scott, then his wife. She was not a witness in the case, nor was she a defendant. They were divorced after the trial and the government, in originally contemplating a retrial, questioned her privately in hopes she would testify as a prosecution witness. But she maintained her mind was hazy on ten-year-old matters and that Mr. Powell, on the points in question, involving a European tour, acted as her business manager.

"A primary problem during the trial," Mr. Robson advised the court yesterday in moving to dismiss the true bill, "was the proof of defendant's participation in the preparation of his wife's tax return and of his wilfulness in exaggerating her business deductions.

The proof on this, Mr. Robson continued, was expected to come principally from Mrs. Hattie Freeman Dodson, a Powell secretary who had previously been convicted herself of tax evasion and sentenced to a seven-month term in 1956. She proved to be, Mr. Robson went on, "an extremely unco-operative and hostile witness."

Since Mrs. Dodson was unco-operative then, Mr. Robson said, her giving testimony at a second trial "would be virtually worthless." The same year that Mrs. Dodson was sentenced another Powell secretary, Acy Lennon, received one year and a day for income tax evasion. Last week a third Powell secretary, William J. Hampton, won dismissal of a 1955 tax indictment against him.

Shortly after the court quashed the Powell indictment yesterday, Mr. Robson, a Republican, announced his resignation as United States Attorney, to take effect Tuesday. That is when Robert M. Morgenthau is expected to be sworn in as his Democratic successor.

Mr. Powell, in his Washington comments, particularly scored the Justice Department and Internal Revenue Service for not having called him in for questioning before taking criminal action against him in 1958. He expressed deep appreciation to the lawyer who defended him, Edward Bennett Williams, and toward Judge Bryan, who presided.

"Not everybody has the money to hire Edward Bennett Williams," the $22,500 a-year Congressman observed, adding that the lawyer normally received "about $1,000 a day in court—and we were there seven weeks."

But Mr. Powell indicated that he got a special rate because of his friendship with Mr. Williams. Whether he got a 50 per cent reduction or what he did not disclose.

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POWELL ASSAILS CRAFT UNIONISTS

Will Block Their Bills Until They Practice 'Equality'

By PHILIP BENJAMIN

Special to The New York Times.

PHILADELPHIA, July 14—Representative Adam Clayton Powell Jr. served notice tonight that he would block any legislation aiding craft unions that practiced discrimination against Negroes.

The Manhattan Democrat, chairman of the House Committee on Education and Labor, issued the warning in a speech at the convention here for the National Association for the Advancement of Colored People. He spoke at the convention's labor banquet in the Sheraton Hotel.

Mr. Powell said the building trade unions "have repeatedly asked me to report the common situs picketing bill out of my committee."

Neither he nor the majority of the committee, Mr. Powell said, had "the slightest interest in reporting this bill until the building trade craft unions start practicing common equality for black workers." He went on:

"I will do everything in my power to prevent any legislation favorable to the craft unions from coming out of our committee until these craft unions get in step with democracy."

Could Halt Construction

The picketing bill would permit building trades unions to shut down an entire construction job in the event of a lawful labor dispute between employers and any single union working on the job.

In attacking the craft unions, Mr. Powell said:

"This is the last time that I will request the craft unions to get their house in order, particularly the International Brotherhood of Electrical Workers, the Union of Operating Engineers, the Carpenters and Joiners of America, Iron and Structural Steel Workers, the Plumbing and Pipefitting Union, the Plasterers and Cement Masons and the Lathers International."

The New York Times

WARNS UNIONS: Representative Adam Clayton Powell Jr., New York Democrat. He said he would block legislation to help craft unions that discriminate against Negroes.

Mr. Powell also accused the Federal Government of subsidizing discrimination. He said the Federal Commission on Apprenticeship Training, which is under the Department of Labor, encouraged and developed apprenticeship training programs for "discriminatory craft unions."

However, he said he had received word "within the past few hours" from Secretary of Labor Arthur J. Goldberg that two new employment-assistance bills would be administered so that no discrimination would be permitted in the participating state and Federal programs.

Denounces Meany

Representative Powell also assailed George Meany, president of the American Federation of Labor and Congress of Industrial Organizations. Mr. Meany, he said, had not "even had the courtesy to reply" to an N. A. A. C. P. memorandum of 1958 "documenting discriminatory trade practices."

Mr. Meany's own Plumbing and Pipefitting Union in the District of Columbia practiced racial discrimination, Mr. Powell charged.

CLIPPING FROM THE

N. Y. TIMES

EDITION LATE CITY

DATED 7-15

PAGE 20

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The Representative praised sit-ins and Freedom Rides, but said:

"W[illegible] only want to sit at the l[illegible]ounter; we want to work behind it. We not only want to ride the buses; we want to drive them."

A. Phillip Randolph, president of the Brotherhood of Railway and Sleeping Car Porters, reported on discrimination practiced by various unions.

During the day, a resolution was adopted calling on the association's board of directors to amend its Constitution to provide an increase in youth representation on the board. The present forty-eight-member board would be expanded to sixty, including three members of the youth and college section of the N. A. A. C. P.

The convention also adopted a resolution condemning the John Birch Society, which it said stood for "blind glorification of the past, forced conformity and repression of dissent."

It also approved a resolution opposing black nationalist and black Muslim groups "which advocate racial separatist policies including assignment of the Negro to separate and distinct states." The resolution also attacked Southern segregationist groups.

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FBI/DOJ

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Inverted Racis...

To understand Rep. Adam Clayton Powell's latest piece of demagoguery in accusing Herbert H. Lehman and other reform leaders of conducting "a lynching, Northern style" because they do not favor J. Raymond Jones for New York County leader, one must look at Powell's standing in the Negro community. He is losing his grip there and he is desperate.

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EDITOR: JAMES WECHSLER

RE: ADAM CLAYTON POWELL
INFO CONCERNING

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EDITORIAL

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Consider what happened in regard to the "Powell amendment," another case where he was free and easy with his accusations of anti-Negro bias. When he originally sponsored the Powell amendment, which would have made federal aid to schools conditional upon desegregation, all those who had questions about the tactical wisdom of the amendment were attacked by him as advocates of Jim Crow. This year, however, he dropped his sponsorship of the Powell amendment, having made his deal with the House leadership. Lo and behold, now all those who continued to support the approach embodied in the Powell amendment became anti-Negro. He was widely criticized in the Negro community for this.

POWELL

Powell made another major blunder when he backed Carmine DeSapio against Mayor Wagner. Harlem not only refused to follow him, but some of the largest votes for the Mayor were turned in by precincts presumably controlled by Powell.

With his political authority in Harlem badly damaged, Powell is now trying to stage a comeback by becoming the champion of J. Raymond Jones, the Harlem leader who ran rings around him in the primary. This is his right, but to seek to portray those who might favor someone other than Jones as the successor to DeSapio as anti-Negro just won't wear. It is ridiculous to suggest men of good will cannot differ over who should be county leader without racial issues being involved. It is vicious to spread the poison of racial hatred and suspicion in this delicately balanced community in a fight for a political office.

As for Powell's attack upon Lehman as in some way being anti-Negro, it is beneath contempt. In the Senate few men so aroused the anger of their Southern colleagues as did Lehman because of his uncompromising battle for civil rights. He was an initiator of the all-important fight for a change of rules at the Senate's opening session. At Democratic national conventions there has been no more stalwart warrior for a strong civil rights stand. He has been a member of the Board of the NAACP for over 30 years.

Powell's attack is reprehensible, and we suspect the Negro community is a little tired of his arrogating to himself the right to issue edicts of excommunication as to who is and who is not an honest fighter for civil rights.

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FBI/DOJ

Harlem Muslims Set For Powell's Church's Forums

NEW YORK — The subject, "Which Way The Negro?" will be discussed by several of Harlem's leading civic officials at a weekly series of forums to be held at the Abyssinian Baptist Church, 132 W. 138th St., beginning Sunday, Jan. 7th, its famous pastor, Congressman Adam Clayton Powell, Jr., announced this week.

Dr. Powell said the church's regular Sunday night services would be dropped to make way for the weekly series of forums to begin at 7 p.m., and to last for one hour each Sunday night, with twenty minutes for the speaker and a half-hour discussion period.

Malcolm X Leads Off

Malcolm X, minister of the fast-growing Harlem Mosque No. 7 and national representative for Muslim Spiritual Leader Elijah Muhammad, is scheduled for the Jan. 7th forum.

Others who have agreed to participate in the forum series are: James Farmer, national director of CORE; Percy Sutton, NAACP branch president; Edward S. Lewis, of the Urban League of Greater New York; J. Raymond Jones, Democratic leader; A. Philip Randolph, of the Negro American Labor Council; Benjamin Davis, secretary of the Communist Party; former judge Samuel R. Pierce; and Arthur Reed, James Lawson and Carlos Cook, leaders of Harlem's Black Nationalist Movements.

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THE NEW CRUSADER
Weekly Edition
Date DEC 30 1961
Chicago, Illinois
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Editor DAN BURLEY
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ZUBER TO OPPOSE POWELL IN FALL

Lawyer Active in Fight for Negro Rights Will Run as Independent for House

By EMANUEL PERLMUTTER

Paul B. Zuber, a Negro lawyer who has been active in integration fights in the North, announced yesterday he would run in the fall election as an independent candidate against Representative Adam Clayton Powell Jr.

This appears to present Mr. Powell with his first serious challenge since he was elected to Congress from Harlem in 1944. He has generally been regarded as a leading spokesman for Negroes on Capitol Hill.

Mr. Zuber said he would work with a team of reform Democrats who are opposing organization candidates in Harlem. He said the team would hold "public hearings" to expose the "poor" record of Mr. Powell and other organization nominees on civil rights recently.

Mr. Zuber plans to run as an independent because he is not an enrolled Democrat. Last month he announced he was severing all ties with the Republican party. He ran unsuccessfully as a Republican for the State Senate in 1956.

He had charged on leaving the Republican party that Governor Rockefeller had "let down the Negro population of the state."

Fight in New Rochelle

Mr. Zuber is best known for the legal fight on school segregation issues in New Rochelle, Englewood and other Northern communities.

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N.Y. Times

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Yesterday he said that Mr. Powell had become a "do-nothing Congressman."

"Adam is just not what he used to be," Mr. Zuber declared: "Since he became chairman of the House Education and Labor Committee last year little legislation of any importance has come out of that committee."

Mr. Zuber said he would work during the campaign with Oliver Sutton, a Negro lawyer who plans to oppose Assemblyman Lloyd Everett Dickens as a primary candidate for the Democratic nomination in the Eleventh District. Mr. Zuber lives in the Twelfth Assembly District.

Mr. Zuber's biggest victory as an integrationist pleader came in New Rochelle. Federal Judge Irving R. Kaufman ruled that the school board there had sought to maintain the Lincoln School as a segregated Negro institution. The decision was

Continued on Page 70, Column 4

Zuber to Run as Independent Against Powell for House Seat

Continued From Page 1, Col. 7

affirmed by the United States Supreme Court.

Mr. Zuber has been something of a maverick in civil rights affairs and resigned as housing chairman of the New York State Conference of the National Association for Advancement of Colored People because he felt the organization's policies were not militant enough.

To be nominated as an independent candidate, Mr. Zuber must obtain the signatures of voters numbering at least 5 per cent of the total vote cast for Governor in the Congressional district in 1958, except that not more than 3,000 signatures are required.

However, most independents seek more than the required minimum to insure themselves against challenges and to demonstrate their popularity.

Born in Williamsport, Pa., on Dec. 20, 1926, the son of a post office employe, he started grade school there and then attended elementary school in Harlem. He continued his schooling at Thomas Jefferson High School in Brooklyn. He attended Brown University on a scholarship and gained his legal law degree from Brooklyn Law School.

His wife, the former Barbara Johnson, is an artist. The Zubers have a 4-year-old daughter.

The New York Times

Paul R. Zuber

FD-350 (4-3-62)

(Mount Clipping in Space Below)

City Fire Dept. Facing Bias Probe by Powell

Adam Clayton Powell, chairman of the House Labor Committee, today is looking into charges of discrimination within the city's Fire Dept.

The New York Democrat says he may hold public hearings.

His inquiry stems from a feud between Fire Commissioner Edward Thompson and Deputy Commissioner Ralph Ortiz, who has been campaigning for more Negroes to join the department.

A statement issued from the Labor Committee's offices here yesterday said Powell had assigned a task force of investigators to talk with Thompson, Oritz, other city officials and members of the Vulcan Society, an organization of Negro employes within the department.

Cites 'Conflict'

The committee did not indicate specifically what charges it was investigating. It referred only to a "conflict" in the department.

"It has been brought to the Congressman's attention that charges of discrimination have been made against the administration in the Fire Dept." the statement added.

Closed-Door Meeting

Commenting on Powell's action, Thompson said today:

"I am as interested in eliminating discrimination as is the Congressman if there is any merit to the charges."

Thompson said he felt differences between himself and Ortiz had been resolved. But it was learned that last week members of the Vulcan Society, which represents the 700 Negroes who belong to the 12,500-man force, had a closed-door session with Mayor Wagner at which they listed a series of complaints.

Ortiz said his relations with Thompson were now amicable and that the matter was a "closed book."

The conflict between Thompson and Ortiz broke into print after a speech the deputy commissioner delivered before a Harlem YMCA a month ago.

He called on young Negroes to apply for jobs in the department and said later he learned that Thompson had sent two "spies" to listen to his talk.

He called Thompson a "bigoted phony" and the commissioner threatened him with a departmental trial. Mayor Wagner finally smoothed things over at an emergency session in City Hall two weeks ago. At the end of the meeting both men shook hands and said their troubles had been resolved.

Before his YMCA speech, Ortiz had talked to a meeting of Harlem ministers who charged that fire prevention inspectors were overlooking rubbish hazards in the area's tenements.

(Indicate page, name of newspaper, city and state.)

70 NEW YORK POST

Date: 6/6/62
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Author:
Editor: DOROTHY SCHIFF
Title: ADAM CLAYTON POWELL

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FBI/DOJ

Powell Hit With $41,000 Tax Claim

Congressman Denies Liability And Asks U.S. Court for a Trial

By WILLIAM STEIF
Scripps-Howard Newspapers

WASHINGTON, Nov. 8.—The Internal Revenue Service has asked Rep. Adam Clayton Powell (D., N.Y.), just elected to his 10th term in Congress, to pay $40,981 it claims he owes in back taxes and penalties on his income from 1949 through 1955.

Powell's lawyers here, Edward Bennett Williams and Colman B. Stein, deny he owes the money and have filed Powell's denial in United States Tax Court. The IRS has until next Monday to reply.

Powell's deficiency notice was sent to him last April 18, after which he had 90 days either to pay or to petition the Tax Court for a hearing.

Powell asked for a hearing, and Judge Norman O. Tietjens granted a time extension for filing briefs, because of the case's complexity.

In April, 1960, Powell's criminal trial in New York on charges of tax evasion ended in a hung jury. The IRS dropped its criminal case against the Congressman, who is pastor of the Abyssinian Baptist Church at 132 W. 138th St. in Harlem, in April, 1961, after deciding there was no realistic chance of prosecuting successfully.

The civil action covers a far wider span of years than the criminal case.

According to tax examiners, Powell was "deficient" in his tax payments by these amounts: 1949, $5512; 1950, $2643; 1951, $7442; 1952, $6203; 1953, $2141; 1954, $940; 1955, $1124. Total deficiency was calculated by the IRS as $26,005. The penalty, IRS figured, would be $14,976.

In all these years except 1951 Powell, chairman of the House Education and Labor Committee, filed a joint return with his former wife, pianist Hazel Scott. She is jointly liable. In 1951 Powell filed a separate return.

Powell's lawyers contend the IRS commissioner "erred" and, in standard legal terminology, ask the U.S. Tax Court to "try this case, determine the amount of deficiency" and "find no penalty may be asserted."

N.Y. World Telegram

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DATED 11-8-62

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AP Photo

REP. ADAM CLAYTON POWELL

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Powell Plans National Chain Of Apartments for Negroes

By WILLIAM STEIF
Scripps-Howard Newspapers

WASHINGTON, Nov. 23.—Rep. Adam Clayton Powell (D., N. Y.) plans to set up a nationwide string of apartment houses for elderly Negroes through tax-exempt, non-profit foundations affiliated with his Abyssinian Baptist Church in Harlem.

The plan—confirmed here by his administrative aide, Livingston Wingate—is now in execution. Powell-sponsored groups already have asked federal financing guarantees to take over a large hotel here and a hotel in Newark, N. J., and to put up apartment buildings in Harlem and the Bronx.

ADAM CLAYTON POWELL

Political Problem

The plan presents a political problem to Robert Weaver, a Negro, who is President Kennedy's top man at the Housing and Home Finance Agency. The Powell groups would be financed through two agencies under Weaver's HHFA—the Federal Housing Administration and Community Facilities Administration.

Officially, Weaver and his staff are following a line expressed by C. Franklin Daniels, FHA assistant commissioner for multi-family housing: "We are treating these like any other applications."

But the Powell applications are being watched closely. Associates say that Weaver, privately, is cool to Powell, despite the fact that the Rev. Oberla D. Dempsey, president of one of the Powell-inspired groups, says: "I know President Kennedy's behind us and also our good friend, Weaver."

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Opposed in Capital

The plan for Washington, first submitted as a preliminary proposal to FHA last May, already has encountered opposition here, ostensibly because it would cut off a supply of rooms for visitors from emerging nations who are studying at nearby government centers.

Wingate blames the opposition on "racial prejudice"—the site is in a changing neighborhood—and says "there will be hell to pay" if the Powell group doesn't get its FHA mortgage insurance.

The two groups handling the Powell plan are the Morris Park Senior Citizens Housing Council and the Adam Clayton Powell Foundation. Both are a little more than a year old.

The four projects on which the government has been approached:

A new, 97-unit, $1.24 million building at 124th St. and Madison Ave. in Harlem for which a direct loan agreement was executed by the Community Facilities Administration in August, 1961. The Morris Park Council is sponsoring this, and Dempsey expects construction to start soon. Bids must be competitive, unlike FHA projects.

A 358-unit, $4.78 million building on the block formed by Pugsley, Seward, Homestead and Homer Sts. in the Bronx for which the Morris Park Council has shown it can get tax-free status, as FHA demanded. FHA has issued a "letter of feasibility" but no further step has been taken pending land planning.

Hotel 2400 in Washington, a 44-year-old apartment hotel with an assessed worth of $926,682. The foundation, whose executive director, Waldo Parish, is also a director of the Morris Park Council, wants to convert this into 500 units with a 100 percent FHA mortgage guarantee of $4.25 million. FHA, despite strong argument from foundation principals last month, will guarantee only $4.5 million.

Hotel Douglas in Newark, on which the foundation asked a $2.2 million mortgage guarantee in July to convert to 183 units. FHA here has kicked the application back to its regional office saying the data are "very incomplete."

"There will be a lot more," says Wingate. "They may make some people unhappy, but that's our national policy."

Dempsey, former assistant pastor to Powell at the world's largest Protestant church, says "we hope to acquire as much land as possible in New York City and in other states, too."

The Bronx and Harlem buildings are aimed at low-income persons, but the remodeled hotels would be for higher-income people.

FD-350 (4-3-62)

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POWELL TO APPEAL $211G LIBEL AWARD

(Indicate page, name of newspaper, city and state.)

1 NEW YORK POST

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Lawyers for Rep. Adam Clayton Powell said today they would appeal the $211,500 judgment awarded a Harlem woman who charged the Congressman had slandered her when he called her a "bag woman" for crooked cops.

"We are confident our appeal will be successful," Charles T. McKinney, Powell's attorney, told The New York Post.

Powell has 30 days within which to file notice of appeal.

An all-white State Supreme Court jury awarded the judgment yesterday to Mrs. Esther James, a 66-year-old widow.

Except to announce that he would file an appeal, Powell—who never appeared in court during the four-day trial—was silent after the verdict. Not so Mrs. James.

"The king is dead," she cried after the jury made its announcement. "The king of Harlem is dead, and respectable people will be able to walk in the streets again."

Mrs. James, who lives at 1744 Amsterdam Av., had sought $100,000 in compensatory damages and $898,000 in punitive damages. But she had no complaints about the sum awarded.

"This is the happiest day of my life," she said in the office of her attorney, Raymond Rubin. "I have my reputation, and that is much more important than the money."

She said that after Powell made his allegations on a television interview in March, 1960, she lost her job as a domestic and was subjected to harassment in the streets.

"People would spit at me, and I had to leave my house by going over the roof," said Mrs. James, mother of four and grandmother of six.

A native of Jamaica, B.W.I, Mrs. James said she plans

to use part of the money to build tourist cottages in Montego Bay.

Her attorney added that she planned to make a contribution to a charity for crippled Jewish children.

Did she think Mr. Powell could afford to pay the damages, she was asked. "If he has not to jail," she said with finality.

Mrs. James Faces Surgery

Dressed in a bright yellow straw hat and black dress, Mrs. James was sprightly as she posed for photographers, despite a bullet wound in her right ankle which has been troubling her and for which she will soon have to undergo surgery.

REP. POWELL
Says he'll appeal.

She was shot in 1958 by a "gangster," she said, "who didn't want me to give certain information that I had to the police. But that didn't stop me," she added.

Her assailant has not been identified, and the case is still under investigation, her attorney said.

Mrs. James' late husband was a dining car worker for the New York Central. She has been receiving a pension since his death.

Defense

During the trial, Powell's lawyers sought to prove that his description of Mrs. James was "substantially true." He also pleaded the defense of "qualified privilege."

Powell had won a pre-trial ruling from Justice John L. Flynn that a legislator has a "qualified privilege" of informing his constituents of remarks made by him in Congress—which have absolute privilege against libel suits—so long as such a report is made in good faith and without malice.

ESTHER JAMES
'The king is dead.'

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FBI/DOJ

Powell Gives Up A Salary

By Earl G. Talbott
Of The Herald Tribune Staff

Rep. Adam Clayton Powell, who sometimes occupies the pulpit of Harlem's Abyssinian Baptist Church, changed his mind yesterday and announced he would continue as pastor—but without pay because of "malicious attacks" upon him.

Thereupon he withdrew his resignation.

Apparently he was alluding to his feud with the National Association for the Advancement of Colored People and his loss—to the tune of $211,000—of a slander suit brought by Mrs. Esther James, of 1744 Amsterdam Ave.

A jury in State Supreme Court last week found for the 66-year-old maid, who had accused Mr. Powell of calling her "a bag woman (graft collector) for the Police Department in Washington Heights." Mr. Powell announced he would appeal.

Recently the Congressman and the NAACP squared off after he was quoted as saying that the organization should be boycotted because some of its top officials were whites. He later said he was misquoted, but at the same time expressed sympathy with some of the aims of the Black Muslims, a militant racist group.

After telling the congregation yesterday that he would keep his church post, the Congressman announced that Wendell T. Russell, dean of students at Virginia Union University, would become his associate minister at the close of the school's current semester.

This apparently scotched earlier plans to offer the pulpit to Dr. Samuel DeWitt Proctor, president of North Carolina Agricultural and Technical College, Greensboro, N. C., who is on leave with the Peace Corps.

Last September a spokesman for the Abyssinian Church's congregation denied a report that Mr. Powell's pay as pastor—the report put it at $50,000 — would be shaved because of his much publicized junket to Europe with two female secretaries during which they attended the Lido night club in Paris and other hot spots.

Even though the church takes up three collections at every service, its annual budget doesn't quite reach $50,000, the spokesman pointed out. He added that Mr. Powell's salary was "about" $7,000.

Whatever the salary, followers of the Congressman's extravagant career point out that he hardly needs it. His pay as a Congressman is $22,500 plus $2,500 in expense money. He heads an extensive real estate and insurance business. His third wife, the former Yvette Marjorie Flores, is a $12,000 staff member of the House Committee on Education and Labor, which Mr. Powell heads, though she rarely leaves Puerto Rico, where the Powells have a $75,000 home.

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Powell Says He's only Negro Leader Entirely Free of Control by Whites

NEW YORK — Harlem Congressman Adam Clayton Powell asserted today that he is the only Negro leader entirely free of white control because he is not dependent on whites for financial support.

"All my strength, all my money come from Negroes," Powell declared, "and therefore I cannot be controlled by whites."

Powell's remarks were quoted in an article, "The Audacious World of Adam Powell", in the current issue of Look Magazine.

The controversial Congressman stated that there is no other Negro leader or organization that does not get "substantial money" from whites and added: "I don't need it."

Powell described himself, according to the article, as "an irritant" who "rubs and rubs until something gives.

Recently critical of the NAACP for letting whites hold positions of leadership in the organization, Powell was asked to comment on reports that many of his ancestors were white.

"If I have all white blood, and I'm doing what I am for the Negro," he told Look, "then I deserve all the more credit!"

Powers said he had called for an immediate investigation by the Legion's convention commission, and was checking on the legal position of the organization in the event a decision is made to cancel the convention contract.

The Legion's national executive meeting will be held in Indianapolis on May 1 and 2, Powers said, and he has asked the commission to report on the situation at that

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Powell Cancels 'Honeymoon'

WASHINGTON (UNPA) — Fresh from a last-ditch stand with with the NAACP over the complexion of its top brass, Rep. Adam Clayton Powell (D.-N.Y.) plunged into another sticky topic when he renounced the "civil rights truce" with the New Frontier.

The free-swinging, wide-ranging Congressman from Harlem served notice that he would no longer observe the "truce' because the Kennedy Administration had "slowed down" in carrying out its pledges on civil rights.

He agreed to the truce to avoid upheavals among his fellow Democrats over segregation issues.

Mr. Powell indicated that his self-imposed restriction to avoid adding anti-discrimination riders to civil rights legislation had been in effect since he took over as chairman of the House Education and Labor Committee in 1961.

He cited the Administration's failure to support the U.S. Civil Rights registration that ,unless Mississippi and other southern states fall in line with the Constitution, they should be completely shut off from Federal funds.

He also took a dim view of the reluctance of the Department of Health, Education and Welfare to carry out its 1962 promise to deny funds to segregated school systems under ,the impacted area program.

Mr. Powell was reported as saying: 'The whole climate is not one I can operate in."

The first indication that Powell's "honeymoon" with the Administration on civil rights legislation was over come when he defended and voted for a Republican-sponsored amendment to the Administration's medical school aid bill.

This amendment, offered by Rep. Abner W. Sibel (R.-Conn.), would have ruled out Federal assistance to medical schools that discriminate against students on the basis of race, religion or national origin.

THE NEW CRUSADER
CHICAGO, ILLINOIS

Weekly Edition

Date 3-4-63

Page 3 Col. 2

Editor:
BALM L. LEAVELL, JR.

CHICAGO OFFICE
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CONG. POWELL CALLS REV. SARDON [illegible]

A crowd of 4,000 persons braved the heat and humidity to hear fiery Adam Clayton Powell at Tabernacle Baptist Church, 4130 S. Indiana Ave., the othernight. It was worth the sacrifice they figured, because they recalled the acid blasts Powell had directed at the Kennedy's, the do nothing Negro leaders . . . the criticism of Negro organizations for their love of white leadership . . . the deowned Republicans, etc. . . . They thought of him as the Adam of old who used to pack 'em in at Chicago for Joe Jefferson and Balm Leavell, and people stool in line for hours to get a glimpse and to her this wonderful man.

But the old clock ticked away 14,400 seconds before it was made known that Adam Clayton Powell, the fiery, wavy haired U.S. Solon, would not be present at the meeting.

It was a hard grind for the folks in charge of the program. The Rev. M. Earle Sardon, president of the Negro Labor Relations League and chairman of the event, stalled and steamed. He realized that tempers were wearing thin as the crowd hissed and booed local government representatives and when the name of [illegible] Congressmen was mentioned. . . . The crowd wanted no parts of the local talent. . . . They wanted Adam Clayton Powell.

The real truth of the [illegible] was revealed by a statement from Powell that he [illegible] as early as Thursday [illegible] committee consideration [illegible] rights legislation [illegible] President Kennedy would [illegible] his appearance here. He [illegible] returned the organization [illegible] chncher for his engagement [illegible] meantime.

In other words, [illegible] Sardon's excuses a lie.

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Can't Arrest Me, Asserts Powell

Rep. Adam Clayton Powell Jr., Harlem Democrat, cited Constitutional privilege yesterday as protecting members of Congress from arrest during sessions and "in going to and returning from same."

Powell filed a Supreme Court affidavit in opposition to a June 17 claim by Mrs. Esther James, who has been trying to collect a $211,739 judgment against the Congressman. She was awarded the judgment after a jury trial of her $1 million defamation of character suit, in which she charged that Powell described her on a TV show as a "bag woman" for the police.

"Concealed Whereabouts"

Mrs. James said Powell had "concealed his whereabouts" and stayed out of the state on weekdays to avoid arrest for failure to pay the judgment. She said she "understands" that he visits New York City only on Sundays.

Powell, who is chairman of the House Education and Labor Committee, fell back on Article I, Section 6, Clause I of the Constitu[illegible] to wit:

"[illegible] and [illegible]entatives shall in all cases except treason, felony and breach of the peace, [illegible] of their respective houses and in going to and returning from same."

"Language Is Clear"

He argued that "the language is clear and [illegible], and [illegible] thereby [illegible] to the instant case." [illegible] until [illegible] the constitutional question.

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NY News

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Powell Lashes Out At White Liberals

Associated Press

WASHINGTON, July 29.—Rep. Adam Clayton Powell (D., N. Y.), saying he is disillusioned with "white liberal" civil rights leaders, planned an all-Negro meeting today to map strategy for pushing fair-employment legislation through Congress.

Powell, who is chairman of the House Education and Labor Committee, said he will confer with leading Negro spokesmen and "I will do . . . what they tell me to do."

He said his disillusionment with white leaders stemmed from a recent civil rights conference that voted against a plan to force the bill to the House floor through a rarely used legislative procedure. He said 37 white persons and three Negroes were present, but did not identify them or say where the meeting was held.

Powell, speaking in New York yesterday at a civil rights rally in the Abbyainian Baptist Church of which he is pastor, said:

"No white man any more is going to tell me what I should do in the field of civil rights."

He said he welcomed the support of white leaders "but the white liberal has got to make up his mind he must accept a secondary role."

Powell's committee has control of the fair employment legislation.

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ger informed us about Mr. Powell's account at Chase Manhattan . . . and yesterday morning we served the bank with a restraining order."

Mr. Rubin went on television two weeks ago, and asked viewers to help him anonymously with tips and information about Mr. Powell's affairs.

"The public came through," said Mr. Rubin.

He indicated that other tips — all emanating from the Congressman's Harlem stronghold — will show him how to tie up Mr. Powell's funds in other banks, here and possibly abroad.

Both Mr. Rubin and Mrs. Jones confidently believe that eventually they'll collect the $211,500 — by hounding it down, if necessary.

"Yesterday we got a new subpoena ordering Mr. Powell into Criminal Court on Aug. 21, "Mr. Rubin said." Unlike the other criminal summonses we've attempted, this one can be served on Sundays.

This was a reference to Mr. Powell's week day absences from New York, since Mrs. James' judgment, as a means of avoiding court subpoenas.

Mr. Powell won a point July 23 in his efforts to evade Mrs. James. She had tried to have him arrested, but State Charles Marks ruled he had Congressional immunity while Congress was in session.

Mr. Rubin yesterday pointed out that the no-arrest ruling does not hamper their tying up Mr. Powell's funds.

The new criminal summons won by Mrs. James charges Mr. Powell with trying to defraud a creditor by improperly directing his $1,000 fee from a forthcoming Esquire magazine article to be paid to his wife.

The article, which appears in September, is entitled "The Duties and Responsibilities of a Congressman to the United States."

"We've got other ammunition in our arsenal, and we'll get court summons after court summons—as long as we have to," said Mrs. James.

It's Just Adam Powell

Echoing from the past, the voice in Harlem's Abyssinian Baptist Church still had a familiar ring. American Negroes should "blindly follow black leadership;" in the civil rights struggle, white liberals "must accept a secondary role."

Over the years, Adam Clayton Powell has parlayed his racist demagoguery into a heap of high living. But the chairman of the House Education and Labor Committee has seen more responsible Negro leaders pass him by, till now it's almost pathetic to see him grasp at their coattails.

White liberals, we trust, won't be too abashed by Mr. Powell's efforts to consign them to second-class citizenship in a rights effort that needs every one's co-operation. His own credentials as a leader have grown somewhat tarnished by disuse. And now, on what could be the eve of victory, Adam seems a bit lost.

He won't be missed.

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Powell May Head Puerto Rico State

By WILLIAM STEIF
Scripps-Howard Newspapers

WASHINGTON, July 26.—Rep. Adam Clayton Powell (D., N. Y.) is considering running for governor of Puerto Rico next year.

The island is a United States commonwealth and a U.S. citizen needs only a year's residence there to run for office.

Powell, whose third wife is a Puerto Rican, owns a home near San Juan. Wife and son live there year round, and Powell spends much time there.

Adam Clayton Powell

Harlem in District

He represents New York's 18th Congressional District, which includes Harlem and much of upper Manhattan's Puerto Rican population.

If he runs—and he is expected to decide soon—Powell will carry the banner of the American Citizenship party, a combination of two independent groups, the Catholic Action party and possibly the island's Republican Party.

Millionaire industrialist Luis Ferre would run on the same ticket for mayor of San Juan.

Opposing Powell would be a political enemy, Puerto Rico's only elected governor, Luis Munoz Marin, now 68.

Powell advocates Puerto Rican statehood, which Munoz opposes. Powell said today he would oppose a Munoz-sponsored bill which would set up a commission to "perfect" Puerto Rico's commonwealth government and then give the island's 2.5 million residents a chance to vote for "permanent" commonwealth, statehood or independence.

5 or 6 Years

Powell doubts the Spanish-speaking island can achieve statehood immediately. He believes that "if a drive were put on, it would take five or six years to get the machinery rolling."

"Puerto Rican statehood would be good for the United [illegible] just as Hawaiian statehood has been good for the United States in the Pacific," Powell said. "It would be an indication to Latin-Americans that there is complete equality in the United States."

Powell, asked about political plans, denied he had any ambition to be first U.S. Senator from Puerto Rico. He said he would be "willing to give up" his position in Washington to live permanently in Puerto Rico and assist in political organization there, but he evaded questions about his candidacy. He admitted:

"There's tremendous interest in me down there because I'm the only person who, as a rough-and-tumble politician, can stand up to Munoz."

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Adam Clayton Powell Answers His Critics

"For the Southern congressmen, their duty and responsibility is to serve the prejudices of their constituents even against the national interest, the world image and the law of the land.

"I am fighting that the law of the land shall be obeyed, and that the world image of the United States, especially before 'the rising tide of expectations' of black peoples, shall be preserved untarnished."

With these words, Adam Clayton Powell, Jr., Democratic congressman from New York City, stated his opinion of his position in the United States House of Representatives.

In an article written for Esquire Magazine entitled "The Duties and Responsibilities of a Congressman to the United States", Congressman Powell, one of the most controversial figures in the House of Representatives in recent years, explains many areas which have been targets of criticism from his opponents.

Although not directly answering his critics, the fiery congressman hit out at many congressional rules and traditions and explains that much of those things for which he is criticized results from the failure of the general public to understand the actual workings of the House of Representatives.

He hits out strongly against the House in his opening statement when he charges:

"The primary and over-riding duty and responsibility of each member of the House and the Senate is to get re-elected. Regardless of denials, lofty views, noble-sounding principles, high ideals, great professions, the number-one purpose of each man and woman serving as a member is to get back on the payroll. The only time this is not true is when a member has accepted a much more lucrative position in private industry or has voluntarily retired."

Congressman Powell touched many subjects which have been discussed in regard to his activities as a member of the House.

As to his answering quorum calls, he states:

"Now I refuse to answer quorum calls. Most of them are mischievously instigated and very few of them serve any importance whatsoever . . . The American public is completely misinformed regarding absenteeism and the voting record. These are two separate things. To answer or not to answer a quorum call has nothing whatsoever to do with voting."

The congressman also indidated that attacks have been directed toward him by members of the Senate, "under their rules", but they themselves are protected by self-imposed "immunity".

He indicates that the two-year term of the House of Representatives as against the six-year term of the Senate has made members of the House a bunch of "Milquetoasts".

He suggests that this and other rules controlling the House should be changed to enable the Representatives to do a more thorough job.

"Ironically, the Negro, as he is beginning to get the right to vote in the South, is emancipating the white Southern members of Congress so that they can vote more freely," Powell asserts.

(Indicate page, name of newspaper, city and state.)

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by N/S from Chg

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Author:
Editor: BALM. L. LEAVEL
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JIMMY BRESLIN

Dr. Adam C. Powell

In the narrow, brown-walled hallway of the Abyssinian Baptist Church, 135 W. 138th St., Dr. Adam C. Powell, minister, there is a candy machine set up against an old wooden pay phone booth, and a few steps from this is an area used by the Federal Credit Union of the Abyssinian Baptist Church. The credit union is open at night, a cardboard sign said, and its office is partitioned off by the frosted, corrugated glass which is so popular with Household and Seaboard and the other loan companies. It seemed strange to see a loan office in the hallway of a church on Sunday morning, but religion in Harlem, and particularly religion in the Abyssinian Baptist Church, wrestles not only with sin, but with the landlord, too.

In the side vestibule of the church, the sun came through casement windows and fell on the four old women who sat on the bench and waited for the 12 o'clock services.

THE SUN

They were heavy women who had the rough hands of people who had spent the week "working in Miss Anne's kitchen," which is what Negroes say when they talk about day workers. Now, they sat in the sun by the windows and talked while they waited to go inside the church and sing.

"You've got to remember something," one of them, in a high red hat, was saying. "You can't think of him just as Adam Clayton Powell. That's an individual. You've got to think of him as being more than that. You think of him as being our leader."

Next to her, a brown hat nodded emphatically. "Uh, huh," she said.

At a little before 12, the four old women got up and became part of the crowd which was walking into the church and taking seats in horseshoe-shaped rows. Upstairs, an organist and a red-robed choir of 32 took places. Then Dr. Adam C. Powell, in a black ministerial robe which covered gray, beltless show-business slacks, walked to the front of an altar covered with flowers and started the 12 o'clock services.

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PAGE 23
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THE SUBPOENA

The Abyssinian Baptist Church says it has 10,000 members and it is considered the largest Protestant congregation in New York City. Over 2,000 people were present for this second service on Sunday. Most of them were women, old women with rough hands who work in Miss Anne's kitchen, and this was their church and, never forget it, this was their minister.

The Rev. Powell comes to New York only on Sunday, flying in from his home in Puerto Rico, and he leaves by nightfall because New York is not his home anymore. There is also the matter of a subpoena calling on him to pay $211,500 to a woman the court said he slandered by calling her a "bag woman" for police. Subpoenas are not issuable in New York on Sunday.

But these are things people write about in white newspapers and they do not interest the women who sat in the Abyssinian Baptist Church on Sunday. If you sat with them Sunday, through services that were solemn, and heard them afterwards, you could see why Adam Clayton Powell will be their minister, and will be United States Congressman from the 12th District, New York, for as long as he wants it. For this was, as the old women had said outside, their leader.

THE LITANY

He spoke to them quietly, with his right hand stuck into his pocket. Usually, the Rev. Powell speaks to his people of practical matters, such as colored people and white people, but on Sunday his talk was shortened by communion and was religious.

"We have some confused minds here which need divine illumination," the Rev. Powell prayed.

"Yes, Lord," the women said.

"There are sinners here who need help for their stained souls," he said.

"Yes, yes, Lord," they said.

Behind him was a banner which said that the church was having its 185th anniversary reunion on Nov. 21 with a fashion show. And while women ushers, in white dresses and stockings, passed out collection envelopes, the Rev. Powell observed from in front of the altar, "Anybody 185 years old, I don't care who they are, anybody that old deserves a birthday present."

In the next seat, an old lined-faced woman in a black hat and white dress, put on her glasses and reached into a long purse and came out with two crumpled dollar bills and put them onto the silver collection plate. There were scrubbed floors and defrosted refrigerators and an awful lot of "Yes, Ma'ams" in those two crumpled dollars the woman put on the plate and it moved you a little bit when she did it.

Then the old woman sat back and the Rev. Powell went through communion and after it, he said to take out No. 110 in the hymn book, and the choir began singing it. The Rev. Powell picked it up and his congregation first began to moan and then hum and then as he lead them, they sang.

"This is my story, this is my song," he said aloud, and everybody sang the words.

THE TROUBLE

When it was over, the Rev. Powell sat in an office in the back with a cup of tea with lemon. He had on a minister's dickey front and a T-shirt and he puffed a big cigar. John Young, a political friend, and Bill Chance, the lawyer, and Mrs. Lillian Usher, Democratic leader of the 12th AD South, came in and sat around and now the Rev. Powell became Congressman Powell and the talk was politics.

"What's the matter?" Powell said, when Mrs. Usher mentioned somebody who had trouble.

"Immigration," she said.

"Immigration?" Powell said. "Tell him if he wants a private bill, I'll introduce it for him. I'm against the McCarran-Walter Act, you know."

He puffed on the cigar. This was the politician at work. He speaks with ease and command and it was impressive to hear him say he would introduce a bill in Washington for somebody. But you knew the strength was not in the room. Adam Clayton Powell's strength was outside the office. It was down the hallway past the Federal Credit Union, where more old women sat and talked in the sun coming through the casement windows in the vestibule.

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Powell Subpoenaed On Failure to Pay Defamation Award

Representative Adam Clayton Powell has been ordered to appear in State Supreme Court to show cause why he should not be held in contempt for failing to pay a $211,500 defamation judgment against him.

United States Marshal Thomas Farley said yesterday that the show-cause order and "additional papers" had been served on Mr. Powell last Thursday in Washington.

Mr. Farley said that he did not know what the papers were or under what circumstances they had been served. He added that although he was not the server he had informed the court that the papers had been given to Mr. Powell.

Mr. Powell, or more probably his lawyer, must answer the order Dec. 12.

Mrs. Esther James, a 67-year-old widow, has been trying to collect the amount since last April, when a jury agreed that she had been defamed when Mr. Powell described her on television as a "bag woman," who collected graft for the police.

Mr. Powell was not reached for comment last night.

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PAGE 41

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POWELL GETS STAY IN CONTEMPT CASE

Lawyers Reach Conditional Agreement on Court Order

Representative Adam Clayton Powell yesterday obtained a conditional stay of a Supreme Court order directing him to appear in court next Monday or pay the full amount of a $211,500 judgment for defamation of character.

The stay was conditional on his signing and observing an agreement reached between George Donald Covington, Mr. Powell's lawyer, and Raymond Rubin, lawyer for Mrs. Esther James, the plaintiff. Mr. Powell must sign by 4 P.M. Friday.

Mrs. James was awarded the $211,500 by a State Supreme Court jury on April 4. The 66-year-old Harlem widow had charged that the Harlem Democrat had falsely called her a bag woman, or graft collector, for the Police Department.

The agreement provides that Mr. Powell will submit to an examination of his assets within 15 days after determination of his appeal against the defamation judgment if the appeal goes against him.

It also provides that he will not transfer any of his assets pending the appeal, which is to be heard in the Appellate Division of the Supreme Court's First Department on Jan. 24.

The understanding was reached by the two lawyers yesterday in the chambers of Justice Charles D. Breitel of the Appellate Division. Justice Breitel will sign it when it is returned to him with Mr. Powell's signature and it will then become a court order.

Last Friday, State Supreme Court Justice Arthur Markewich held Mr. Powell in contempt of court for failing to appear to answer the defamation judgment. He ordered Mr. Powell to pay the $211,500 or to purge himself by appearing in court next Monday for a determination of his ability to pay.

Yesterday's agreement stipulated that Mr. Powell "without conceding the fact or validity of the finding of such contempt" would be deemed purged of contempt and of Justice Markewich's order to pay the full amount when he had complied with the terms of the agreement.

The agreement meant in effect that Mr. Powell would waive any claim to Congressional immunity.

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Powell's Date Is Postponed

Rep. Adam Clayton Powell jr. will not have to appear in Supreme Court Monday on a contempt citation, after all.

The reason: opposing counsel in the defamation suit against the Harlem Democrat agreed to a stipulation yesterday before Justice Charles D. Breitel, of the Appellate Division.

Last April a Manhattan Supreme Court Jury ordered Rep. Powell to pay $211,500 to Mrs. Esther Matilda James for having referred to her on TV as a graft collector for police. She has been trying to collect.

Last Friday, Supreme Court Justice Arthur Markewich held the legislator in contempt for not having shown up on Sept. 20 to answer questions about his worth—and where he keeps it—so that Mrs. James could slap liens on everything. Justice Markewich gave Mr. Powell until next Monday to submit to such questioning or come in with the $211,500. And if he didn't show up, he faced jail for contempt.

Yesterday, opposing counsel agreed before Justice Breitel to delay everything—including the contempt matter—until after the Appellate Division rules on the merits of the $211,500 jury judgment. It was further agreed that if the appeals court, which is to hear argument on Jan. 24, rules for Mrs. James, a Harlem widow, Mr. Powell will voluntarily submit to questioning about his assets 15 days after that decision.

However, according to Raymond Rubin, the widow's counsel, all bets are off unless Mr. Powell, who is in Puerto Rico, submits to the Appellate Division by Friday—in writing—that he agrees to this arrangement. Mr. Powell is represented by George Donald Covington.

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IT WAS 'ONLY ON SUNDAY'

Powell to Do Weekday Show, Too

By JOAN HANAUER

It's the "return of the native" for Rep. Adam Clayton Powell, whose theme song for the last 11 months has been "only on Sunday."

That's the one day of the week the Harlem Congressman visited New York and the result was that until last night his Harlem political club had not seen its leader for 11 months.

Has he been avoiding New York except on Sunday in order to duck process servers in the $211,500 libel action brought against him by Mrs. Esther Davis?

"No," Rep. Powell said, "I just happened to be busy in Washington every day but Sunday."

But he promised some 200 cheering members of the Alfred Isaacs Democratic Club:

"I will be your servant, not a boss, not a leader, not a chief. I'll be here every Monday night from now on."

Rep. Powell, who has appealed the libel judgment, was asked if he could pay up in the event of an adverse ruling. He said:

"The question is not could I pay but would I pay."

The lawyer for Mrs. James, whom Rep. Powell called a "bag woman" (graft collector) during a TV show, has contended the Congressman is a millionaire.

"I don't deny it," he said. "I'm flattered. But you just find the box (of money) and give me a piece of it."

Rep. Powell was greeted with shouts of "no, no" when he asked club members if his absence had hurt him politically. He promised "they aren't going to take your man from you."

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"... Not Could I Pay *... But Would I Pay* *... I'm Never Worried"*

This Was Rep. Adam Clayton Powell at last night's press conference

Journal-American Photos by John E. Bapties

He also said if the case went against him he would still draw his Congressman's salary, which cannot be attached.

He added he could retire on $15,000 a year with Congressional pensions and income from the Harlem Baptist Church he serves as pastor.

Powell Gives Nod To Ellison—Then Quick Shrug-Off

By HARRY SCHLEGEL

Within the space of a few hours, Rep. Adam Clayton Powell, Harlem Democrat, did one of his political somersaults yesterday over the State Senate candidacy of a convicted policy gambler.

In the morning, before his noon sermon at the Abyssinian Baptist Church, 132 W. 138th St., Powell said he was backing Noel Ellison in a special election Feb. 4 to fill a Senate vacancy.

Issues a Statement

Then, in midafternoon, Powell issued this statement through an aid:

"I am remaining completely neutral in the Ellison affair for two reasons: first, I was not consulted on any candidate prior to his selection, and second, my own political club is not involved and I am thus not involved as a district leader."

The Powell spokesman said the back-away from Ellison followed "a discussion" of the matter.

Ellison won the nomination with the strong support of reform Democratic leaders. Mayor Wagner asked him to withdraw, but Ellison refused. The county Democratic committee thereupon petitioned the Board of Elections to invalidate Ellison's nomination. A hearing has been set for Jan. 27.

Subject: Rockefeller

Elsewhere, the Democrat and the Republican who may wind up battling each other for Nassau County executive this fall, attacked and defended Gov. Rockefeller's fiscal policies.

The attacker was the Democratic incumbent, Eugene Nickerson, who rapped the Rockefeller program as "phony." The defender was John J. Burns, state commissioner of local government and a former GOP supervisor of Oyster Bay Town, who hailed Rocky for his "pay as you go" policy.

Praises Pay-as-We-Go

"I think the facts show there is no fiscal integrity in the Governor," Nickerson [illegible] TV's Legislative Hearing. [illegible] Rocky's no-tax-like [illegible] 1962 [illegible] he had [illegible]

Adam Clayton Powell
In political somersault

$109 million on everything from autos to barbers and he called the increases 'fees.'"

But Burns insisted that "we are paying as we go along with much capital construction, with all of the operating expenses required to operate the state, giving good, sound leadership to the municipalities with our method of assisting them through state assistance."

Last night, GOP Rep. John V. Lindsay, of Manhattan's silk stocking district, predicted that President Johnson's emphasis on domestic issues at the expense of foreign affairs could lead to his defeat this fall. "I think his Administration will turn out to be weak on foreign affairs," Lindsay said.

Lindsay also believes that his party's convention will give the nomination to [illegible]

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Powell Postpones Trip to Puerto Rico And Virgin Islands

WASHINGTON, Dec. 16 (UPI)—A two-day House committee trip to Puerto Rico and the Virgin Islands this week to study educaion and labor matters was postponed today until after the adjournment of Congress.

The House Education and Labor Committee said the trip was put off "because of the press of business" in the pre-adjournment period.

The committee chairman, Representative Adam Clayton Powell, Democrat of Harlem, and three committee members planned to make the trip [illegible] with nine staff aides.

Mr. Powell and Representative Edith Green, Democrat of Oregon, Dominick Daniels, Democrat of New Jersey and John Dent, Democrat of Pennsylvania planned to travel to the islands by military air transport service.

Mr. Powell said the members and staff would split up and study complaints from schools near Ramey Air Force Base in Puerto Rico.

He said he had been told that schools there had aid for only 2,800 of the 3,800 children of servicemen and Federal employes enrolled.

A complaint from the Virgin Islands Trade Union Council alleged that strikebreakers were being imported, Mr. Powell said.

In addition, he said, conferences have been set up with Puerto Rican officials to discuss administration of the new vocational education, manpower training and delinquency con[illegible] with officials of [illegible] Rican universities [illegible] provisions of the new [illegible] construction aid law, [illegible] with labor and management officials about operation of the 1961 minimum wage law.

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POWELL WILL SEEK STAY IN LIBEL CASE

A stay of an order requiring Representative Adam Clayton Powell to appear in court here by Jan. 6 will be sought in the Appellate Division tomorrow.

Mr. Powell's lawyer, George Donald Covington, announced yesterday that the stay would be sought pending the appeal of a contempt ruling against the Congressman handed down Friday by Justice Arthur Markewich in Supreme Court here.

The proceedings stem from a $211,500 defamation judgment won against Mr. Powell last April by a Harlem woman. He had accused her on television of being a graft collector for crooked policemen.

Mr. Powell, a Harlem Democrat, contended that the remarks were protected by Congressional privilege, and the verdict is being appealed.

Mr. Powell did not appear to answer the original libel judgment, and the contempt citation followed lengthy legal maneuvering. Mr. Covington said appeal of the citation would be based on improper service of a subpoena.

The Congressman, who is in Puerto Rico, could not be reached for comment. He will be exempt from arrest or the service of additional papers after Jan.7, when Congress reconvenes.

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UNITED STATES GOVERNMENT

MEMORANDUM

TO : SAC, NEW YORK (105-7809) DATE: 3/9/64

FROM : SAC, CHICAGO (100-35635)

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February 11, 1964

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1 - 105-8999 (MALCOLM X LITTLE)
1 - [redacted]
1 - [redacted]
1 - Newark [redacted] (Info.) (RM)
2 - WFO (100-22829) (Info.) (RM)
1 - [redacted]
7 - Chicago
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1 - 100-35638 (ANNUAL MUSLIM CONVENTION)
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FBI/DOJ

Powell Fails to Show Up In Court; Faces Arrest

By NANCY SEELY and WILLIAM GREAVES

Adam Clayton Powell faced arrest today after he failed to appear in Supreme Court in connection with a libel judgment.

The Harlem Congressman was due to be examined on his ability to pay a $46,500 judgment against him.

Also absent from court was Mrs. Esther James, Harlem widow who won the defamation-of-character suit against Powell. Her attorney said she was "scared stiff" and wouldn't be in.

"She told me that yesterday a woman threatened her with a gun in a store in Harlem," the attorney, Raymond Rubin, told reporters. "She said she screamed and the woman ran away. She told me she had reported this to police."

There was no answer when the clerk of the court three times called Powell's name.

Rubin refused specific comment, but it was learned later that he planned to ask for Powell's arrest on a contempt citation.

Powell's attorney, George Donald Covington, said one of his associates was in the Appellate Division seeking a stay of Justice Birdie Amsterdam's ruling yesterday. She had refused to postpone the examination. If the stay is granted, there would be no grounds for a contempt citation.

Powell, whose attorney said he was in Washington [illegible], originally asked for the postponement because, he said, Powell had to remain in the capital because of the civil rights and anti-poverty bills. Justice Amsterdam said Powell had agreed to appear today and "he may not now renege upon such an agreement."

Mrs. James, of 1744 Amsterdam Av., was awarded $211,500 damages in April, 1963, on her claim that Powell had defamed her in a televised interview by calling her a "bag woman" (graft collector) for corrupt Harlem police. The Appellate Division later reduced the award to $46,500.

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FBI/DOJ

On Tap Today — Powell May Show Up in Court

As a Democratic Congressman, Adam Clayton Powell jr. makes $22,500 a year and presides over a five-figure House Education and Labor subcommittee budget. As a churchman, he is pastor of Harlem church valued at $350,000 years ago. As a San Juan, P. R., resident he owns a $70,000 beachfront estate. And as a man named in a $46,500 defamation judgment, he has agreed to show up before Manhattan Supreme Court Justice Birdie Amsterdam today and tell whether he has that kind of money and if so where he keeps it.

Rep. Powell called a Harlem widow a bag woman for crooked cops while he was on a TV show in 1960. She sued and won a $211,500 judgment, but the Appellate Division later knocked it down to $46,500. The judge says Rep. Powell agreed to appear and "may not now renege upon such agreement." The court added that terms of the stipulation refute [redacted] claim to Congressional immunity.

The money question will be shot at the Harlem leader by the widow's counsel. Rep. Powell is appealing the [redacted] to the Court of Appeals.

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JUDGE WARNS POWELL

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But Grants Court Stay Of 2 Days

Supreme Court Justice Thomas C. Chimera granted a two-day adjournment in the case of Rep. Adam Clayton Powell today but warned the Harlem Congressman eventually would be "brought to book" in connection with a slander judgment against him.

Rep. Powell did not appear at the court proceedings.

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Rep. Adam Clayton Powell failed to appear on schedule today in Supreme Court to show cause why he should not be held in contempt for previous failures to appear.

Scheduled to appear at 10 a.m., the fiery Harlem leader still was among the missing an hour and a half later and his lawyer, George D. Covington, said he could only assume his client was in Washington.

"Congress met on Friday and Saturday," the attorney said, "and Mr. Powell can't be forced to leave Congress while it is in session.

"He was not in New York over the weekend at all."

FACING ARREST

If the Harlem Democrat failed to show up during the day, as ordered last Friday by Justice Charles A. Loreto, he faces arrest.

This was in connection with his ignoring a court order to pay $46,500 to Mrs. Esther James, 67, a widow, for characterizing her as a "bag woman" (graft collector) for police.

The whereabouts of Rep. Powell, habitually missing readily when his case was called in court, apparently was unknown yesterday at the Abyssinian Baptist Church, 132 W. 138th st., where he sometimes fills the pulpit.

Although the Democratic legislator is a pastor of the church, a spokesman there stated yesterday that Rep. Powell was not there, had not been there over the weekend and—

PENALTY CUT

"We do not know where he is."

A Manhattan Supreme Court jury on April 4, 1963, awarded Mrs. James $211,500 against Rep. Powell for defamation of character, but the Appellate Division subsequenty chopped the award to $46,500.

Since that time, however, the Congressman has been anywhere except where Mrs. James and her lawyer sought him in their efforts to collect.

Mr. Powell made several futile tries to have the verdict dismissed, calling it "grossly excessive."

Early this year he obtained a conditional stay of a court order directing him to appear for a financial examination, set for Jan. 6.

This action came after Mr. Powell agreed, in effect, to waive his Congressional immunity and submit to the examination if the Appellate Division rejected his appeal—and it did.

Mr. Powell was ordered last March 31 by Supreme Court Justice Frederick Becker to appear in court last Friday to substantiate his contention of inability to pay the judgment.

WIFE ALSO CALLED

In a related action on March 31, the same court also ordered Mr. Powell's wife, Yvette, to appear in court last Thursday to explain why she should not be cited for contempt for failure to appear in court to answer questions about her husband's finances.

The 53-year-old Congressman's income from the Federal payroll is $22,500 a year.

His wife, listed as his "aide," draws an additional $13,208 annually.

The Powells have a beach home in Puerto Rico valued at up to $75,000.

Only two days ago, Mr. Powell's Washington office reported the Harlem Representative, a self-proclaimed civil rights leader, was ""busy working on the 'poverty bill' and couldn't pull himself away."

These continued delays so aroused Mrs. James that she went to Supreme Court and obtained the contempt order.

In issuing it, ordering Rep. Powell to show cause today why he should not be held in contempt for not paying the court-directed verdict, Justice Loreto also stipulated:

That Mr. Powell show cause why any sheriff of any of the 62 New York State counties should not arrest him and imprison him until the judgment is paid.

Rep. Powell's continued defiance of a series of court orders evidently has nettled more tempers than those of Mrs. James and her lawyer.

The New York Conservative Party several days ago named George S. Schuyler as its candidate for Powell's post in the 18th Congressional District.

Mr. Schuyler, also a Democrat, called Mr Powell "New York's No. 1 demagogue" and a "playboy."

ADAM CLAYTON POWELL

Court Awaits Powell

Rep. Adam Clayton Powell (D., N. Y.) was under an order to appear in State Supreme Court today or face a possible jail term for contempt.

The Harlem Congressman on Friday was directed to show cause why he should not be jailed for contempt for failure to pay a $46,000 defamation of character judgment. The order was returnable before Justice Charles A. Loreto.

Powell earlier had failed to appear for a financial examination of his ability to pay the money to Mrs. Esther James, a 67-year-old widow.

She originally had been awarded $211,500 by a jury after she charged that Powell had libeled her when he called her "a bag woman for the Police Department" on a television program.

The Appellate Division subsequently reduced the amount to $46,500. Mrs. James said Powell had not paid any of it.

Powell was not at his Abyssinian Baptist Church in Harlem yesterday, and church officials said they did not know where he was.

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Court Calls Powell—Will He Show Up?

By RALPH BLUMENFELD

Rep. Adam Clayton Powell was under orders—again—to appear in court today about the $46,500 bill for defamation of character.

This time it was a State Supreme Court order to show cause why he should not be jailed for contempt of court for not paying the bill.

It was the latest in a series of court showdowns for the fiery Harlem leader. So far he has honored none of the orders and nothing has happened to him.

A spokesman at his Abyssinian Baptist Church in Harlem said the Congressman-pastor did not even appear for his regular sermon yesterday. That was unusual because Powell has made a habit during 13 months of litigation in this case to show up in church on Sundays when no arrest order can be served.

The show cause order was issued Friday after denial of an arrest order requested by Raymond Rubin, lawyer for Mrs. Esther James, Mrs. James is the widow awarded $46,500 by a court which found that Powell had deframed her by calling her a "bag woman" (graft collector) for policemen.

Another Powell refusal to come to court may conceivably land him in jail although previous contempt citations have come to naught.

The difference now is that Powell signed an agreement on Dec. 31 waiving his Congression immunity to arrest and promising a financial accounting pending his appeal of what then was a $211,500 libel judgement.

Two contempt charges were adjourned until the appeal—then dropped when Powell won a reduction of the bill to $46,500 for defamation last February.

The new contempt charge stems from his failure to come to court for a financial review last Thursday. This time Powell pleaded pressing business in Washington—the civil rights and poverty bills. He also argued through an affidavit that his financial state should be private until "after the Court of Appeals has spoken the final word on this litigation."

Supreme Court Justice Birdie Amsterdam, noting Powell's signed waiver of Congressional immunity, turned down his postponement request. But the Appellate Division agreed to consider a stay pending the Court of Appeals ruling and said it would make a decision next Thursday.

Mrs. James and her lawyer chose not to wait. They got a show-cause order returnable today.

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